# Support to Industry Partners in Achieving Designation/Certification for the US Safety Act

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#### **Abstract**

The objective of this report is to provide insight to Canadian industry partners of the CRTI/PSTP program into successfully applying for designation under the USA SAFETY Act, and preferably to be added to the Department of Homeland Security Approved Product List (APL). This will enable Canadian companies to access these markets with the outputs of CRTI or PSTP projects. The study also suggests how DRDC CSS can support Canadian companies receiving designation under the USA SAFETY Act.

#### Résumé

L'objectif de ce rapport est de fournir l'information aux partenaires de l'industrie canadienne du programme de l'IRTC/PTSP pour appliquer avec succès la désignation en vertu de la Loi sur la Sécurité d'es États-Unis et de préférence, pour être ajouté à la Liste des Produits Approuvés (LPA) du Département de Sécurité publique américain. Cela permettra aux entreprises canadiennes d'accéder à ces marchés avec des résultats de projets de l'IRTC ou PTSP. L'étude indique également comment RDDC CSS peut soutenir les entreprises canadiennes recevant la désignation en vertu de la Loi sur la Sécurité des États-Unis.

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#### **Executive summary**

#### Support to Industry Partners in Achieving Designation/Certification for the US Safety Act

Gerg Luoma; DRDC CSS CR 2011-21; Defence R&D Canada – CSS; October 2011.

Following the terrorist attacks on the World Trade Center and the US Postal Service in 2001, the US Government realized that they needed to develop an improved strategy to prevent or render ineffective future terrorist attacks in the US. The Homeland Security Act was thus enacted in 2002.

At the same time the US Government realized that new technology would be required to achieve the objectives of the strategy, and that industry would provide a key role in developing and commercializing the appropriate technologies and capabilities. Unfortunately, the limited size of the Homeland Security market in the US coupled with the potential for very large litigations as a result of performance limitations, side effects or failures of the technologies in preventing the consequences of a terrorist attack makes developing technologies and solutions too risky for most commercial companies. Thus, to encourage industry engagement and investment in technology development, the US Government also enacted the Support for Anti-terrorism by Fostering Effective Technologies Act (SAFETY Act) at the same time as the Homeland Security Act.

The goal of the SAFETY Act was to stimulate and expedite the introduction into service of counter-terrorism technology by managing the litigation risk facing companies who entered the market. The SAFETY Act thus provides legal liability protection for manufacturers and sellers of designated anti-terrorism technologies and services. Importantly, the protection only applies to claims resulting from an act of terrorism, and does not limit the liability in other instances. For example, a drug that is developed to treat illnesses (eg. ciprofloxacin) may have side effects that create liability. In normal use the manufacturer or supplier of the drug is subject to normal litigation, but if the drug is used to treat individuals exposed to a biological agent attack the SAFETY Act protects the manufacturer or supplier of the drug from excessive liability.

The SAFETY Act also creates a second benefit to industry through the creation of the Approved Product List (APL). Any technology or service that receives the highest designation within the SAFETY Act, ie Certification, is automatically added to the APL which is available to all first responder groups as a guide to buying approved products for counter-terrorism and emergency management. In addition, many forms of National, State and Municipal grants have stipulations that allow local first responder groups to buy products from the APL directly rather than going through long and tedious competitive processes. Thus being on the APL is a major advantage in marketing counter-terrorism technology and services.

## Soutien aux partenaires de l'industrie afin de les aider à obtenir la désignation/certification associée à la Loi américaine sur la sécurité

Gerg Luoma; RDDC CSS CR 2011-21; R & D pour la défense Canada – CSS; Octobre 2011.

À la suite des attaques terroristes contre le World Trade Center et le service postal américain en 2001, le gouvernement américain a pris conscience qu'il devait améliorer sa stratégie visant à prévenir ou à neutraliser les futures attaques terroristes aux É.-U. C'est pour cette raison que la Loi sur la sécurité intérieure (Homeland Security Act) a été promulguée en 2002.

À la même époque, le gouvernement américain s'est aperçu qu'il était nécessaire de faire appel aux nouvelles technologies pour atteindre les objectifs de sa stratégie et que l'industrie jouerait un rôle clé dans la mise au point et la commercialisation des technologies et des capacités appropriées. Malheureusement, la taille limitée du marché de la sécurité intérieure aux É.-U., ajoutée à la possibilité de litiges très importants liés aux limites de rendement, aux effets secondaires ou à l'incapacité de la technologie à prévenir les conséquences d'une attaque terroriste rend la mise au point de technologies et l'élaboration de solutions trop risquées pour la plupart des entreprises commerciales. En conséquence, pour encourager l'engagement de l'industrie et les investissements en développement technologique, le gouvernement américain a également passé la loi sur le soutien à l'antiterrorisme favorisant la création de technologies efficaces (Support for Anti-terrorism by Fostering Effective Technologies Act [SAFETY Act ou Loi sur la Sécurité des États-Unis]) en même temps que la Loi sur la sécurité intérieure.

La Loi sur la Sécurité des États-Unis avait pour but de stimuler la création de technologies antiterroristes et leur mise en service rapide en gérant le risque de litiges auquel faisaient face les entreprises qui se lançaient dans ce marché. La Loi sur la Sécurité des États-Unis offre donc une protection contre les responsabilités juridiques aux manufacturiers et aux vendeurs de technologies et de services antiterrorismes désignés. Plus important encore, cette protection ne couvre que les réclamations faites à la suite d'un acte de terrorisme; elle ne limite pas la responsabilité dans les autres cas. Par exemple, un médicament conçu pour traiter des maladies (p. ex., la ciprofloxacine) peut avoir des effets secondaires qui engagent une responsabilité. Dans le cas d'une utilisation normale, le fabricant ou le fournisseur du médicament est soumis aux actions judiciaires normales, mais si le médicament est utilisé pour soigner des personnes qui ont été exposées à une attaque utilisant un agent biologique, la Loi sur la Sécurité des États-Unis protège le fabricant ou le fournisseur du médicament de responsabilités excessives.

La Loi sur la Sécurité des États-Unis offre un autre avantage à l'industrie : la Liste des Produits Approuvés (LPA). Toute technologie ou service qui reçoit la désignation la plus élevée en vertu de la Loi sur la Sécurité des États-Unis, c'est-à-dire la certification, est automatiquement ajouté à la LPA. Tous les groupes de premiers intervenants ont accès à cette liste et elle leur sert de guide pour l'achat de produits approuvés en matière de contre-terrorisme et de gestion des urgences. De plus, de nombreuses formes de subventions du gouvernement fédéral américain, des États et des municipalités contiennent des stipulations qui permettent aux groupes de premiers intervenants locaux d'acheter directement des produits figurant sur la LPA plutôt qu'en faire l'acquisition au

moyen de longs et fastidieux processus concurrentiels. Ainsi, être inscrit sur la LPA est un avantage important dans la mise en marché de technologies et de service de contreterrorisme.

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#### 1 Background

Following the terrorist attacks on the World Trade Center and the US Postal Service in 2001, the US Government realized that they needed to develop an improved strategy to prevent or render ineffective future terrorist attacks in the US. The Homeland Security Act was thus enacted in 2002.

At the same time the US Government realized that new technology would be required to achieve the objectives of the strategy, and that industry would provide a key role in developing and commercializing the appropriate technologies and capabilities. Unfortunately, the limited size of the Homeland Security market in the US coupled with the potential for very large litigations as a result of performance limitations, side effects or failures of the technologies in preventing the consequences of a terrorist attack makes developing technologies and solutions too risky for most commercial companies. Thus, to encourage industry engagement and investment in technology development, the US Government also enacted the Support for Anti-terrorism by Fostering Effective Technologies Act (SAFETY Act) at the same time as the Homeland Security Act.

The goal of the SAFETY Act was to stimulate and expedite the introduction into service of counter-terrorism technology by managing the litigation risk facing companies who entered the market. The SAFETY Act thus provides legal liability protection for manufacturers and sellers of designated anti-terrorism technologies and services. Importantly, the protection only applies to claims resulting from an act of terrorism, and does not limit the liability in other instances. For example, a drug that is developed to treat illnesses (eg. ciprofloxacin) may have side effects that create liability. In normal use the manufacturer or supplier of the drug is subject to normal litigation, but if the drug is used to treat individuals exposed to a biological agent attack the SAFETY Act protects the manufacturer or supplier of the drug from excessive liability.

The SAFETY Act also creates a second benefit to industry through the creation of the Approved Product List (APL). Any technology or service that receives the highest designation within the SAFETY Act, ie Certification, is automatically added to the APL which is available to all first responder groups as a guide to buying approved products for counter-terrorism and emergency management. In addition, many forms of National, State and Municipal grants have stipulations that allow local first responder groups to buy products from the APL directly rather than going through long and tedious competitive processes. Thus being on the APL is a major advantage in marketing counter-terrorism technology and services.

#### 2 Objective

The objective of this document is to provide insight to Canadian industry partners of the CRTI/PSTP program into successfully applying for designation under the SAFETY Act, and preferably to be added to the APL. This will enable Canadian companies to access these markets with the outputs of CRTI or PSTP projects. The study also suggests how DRDC-CSS can support Canadian companies receiving designation under the SAFETY Act.

#### 3 SAFETY Act Details

As mentioned above the SAFETY Act goal is to facilitate and expedite exploitation of new technology and services to the benefit of the US in preparing for, preventing, responding to and recovering from terrorist events. Three levels of designation are possible and the whole process is designed to be completed in less than 120 days from original application. The information below summarizes the process that is used to assess and designate technologies under the Act.

#### 3.1 Qualifying Technologies and Services

Essentially any hardware, software or service that provides a capability to prevent, prepare for, respond to or recover from a terrorist attack may qualify for SAFETY Act Designation. Some examples include sensor systems, threat/vulnerability assessments, decision support, crisis management, screening services, etc. The key is to demonstrate that the technology or service provides a critical capability that may not be made available to US first responders unless the legal liability issues are limited by the US government SAFETY Act.

#### 3.2 Designation Levels

There are three levels of designation that are based on the maturity of the technology or service and its impact on counter-terrorism, and they provide two levels of liability protection to the producers.

The top category is termed "Certification" which implies that the technology or service has reached TRL8 maturity, has already been "Designated", is critical for counter-terrorism capability and is available for deployment by public and private groups immediately. Because the technology or service has been proven to be consistently effective, reproducible, reliable, available and maintainable the provider is allowed to assert Government Contractor Defense and the technology or service is placed on the Approved Product List for Homeland Security. Within the CRTI/PSTP programs this designation would be reserved for the outputs of Technology Acceleration (TA) projects or the Canadian Innovation Commercialization Program (CICP), and would be fully commercialized and in service. The duration of this designation is 5 years after which time re-certification is required.

The middle category is termed "Designation" which implies that the technology or service has reached TRL7 maturity. In this case the technology is confirmed through limited testing to be effective in operational environments, is ready for commercialization and has received positive feed-back from customers. There must also be a plan to completed quality assurance testing and commercialization. Within a "Designation" level the provider's liability is limited to the amount of liability insurance protection that must be purchased after negotiations with the Department of Homeland Security. Within the CRTI/PSTP program technologies and services produced by Technology Demonstration (TD) projects would normally be mature enough to qualify for this designation. The duration of this designation is 5 years after which time re-designation or certification is required.

The lowest category is termed "Development Testing and Evaluation (DT&E) Designation" for those products and services in the prototype stage that have reached roughly TRL5 maturity. In this case the designation provided covers the liability while the technology or service is being

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tested in an operational environment and/or is in use operationally while full development is being completed. The duration of this designation is for 3 years.

As mentioned above, the importance of achieving the Certification level is high. This is because the Approved Product List is widely available to first responder groups and other potential customers. Further, State and Municipal governments receive funds for emergency preparedness and terrorist response which can be used to purchase equipment from the Approved Product List without competition in some cases. Further if a product is placed on the Approved Product List the supplier and purchaser of the technology or service is indemnified against legal liability so that only the producer of technology or capability is required to have insurance. Thus for a Canadian company to achieve market success in the US, being on the Approved Product List is a great advantage in accessing key customer groups and potential suppliers in the US.

#### 3.3 Applying for SAFETY Act Protection

In order to receive liability protection under the SAFETY Act, a technology or service must achieve DT&ED, Designation or Certification status through an application process. Submitting an application is a two stage process. The process can be completed on-line at <a href="https://www.safetyact.gov/">https://www.safetyact.gov/</a> and includes the following tasks:

- Creating an Account
- Submitting an Application

The process can also be completed off-line and submitted as a pdf file. Also, follow-on information under Sections 3.4 and 3.5 can be completed on-line or off-line.

#### 3.3.1 Registering and Creating an Account

The first step is creating an account which registers the user name and allows the user to create a password which must be at least eight characters and contain upper and lower case letters and a number or symbol among the characters. The account creation page also asks for a DUNS number and a NAIC Code for the company creating the account

The Data Universal Numbering System (DUNS) number which is obtainable from Dun and Bradstreet Canada at <a href="http://www.dnb.ca/get-a-duns-number.html">http://www.dnb.ca/get-a-duns-number.html</a>, is a universal numbering system that provides a unique number of a business. The North American Industry Classification (NAIC) System provides a standard code that identifies the type of business that is submitting the application and a coding guide is available from Statistics Canada at <a href="http://stds.statcan.gc.ca/naics-scian/2007/ns-rn-eng.asp">http://stds.statcan.gc.ca/naics-scian/2007/ns-rn-eng.asp</a>.

Once this information is provided the account is created and an application can be completed and submitted.

#### 3.3.2 Completing the Application

To complete an application the applicant must log in to the system and provide the requested information. An opportunity is provided to access pre-submission consulting services from DHS to determine if the technology or service is likely to be accepted for designation, and what type of application (Certification, Designation or DT&ED) should be submitted based on the perceived maturity of the technology or service.

## 3.4 Activities after Application Submission to Support Designation Decision

#### 3.4.1 Notice of Completeness

After DHS receives an application they perform a Completeness Check. The applicant will receive an email notification when this phase is complete. If DHS determines the application to be complete but they require more information in order to perform a full evaluation, the applicant will be asked to submit a Completeness Response. If the application is determined to be Incomplete the applicant will receive specifics in an email notification and will have the opportunity to resubmit the application.

When the applicant logs in to the account a Completion Notice will provide details of the additional information that is required. Once this is complete and accepted the application will enter the evaluation phase.

#### 3.4.2 Request for Information (RFI)

During the evaluation phase, if the reviewers require additional information to make a decision then a Request for Information is sent via e-mail to the applicant. This information might be related to testing in operational environments, reports by customers on performance and value, and any other information that can help the reviewers make a decision on the level of the designation.

Since the highest designation level (Certification) is required to be placed on the Approved Products List, the goal should be to achieve this level or at least the Designation level in order to access first responder markets in the US. Thus it is important to provide key information that will allow the reviewers to give the technology or service a higher designation. Key factors that impact the designation decision and level are:

- Current customers and in-service feed-back on value in counter-terrorism;
- Maturity of the technology or service;
- Consequences of not employing the technology or service;
- Reliability, availability and supportability of the technology for deployment;
- Unusually high or unquantifiable liability for provider of technology or service; and,
- Proven effectiveness through operational testing.

Providing the correct information in a clear and understandable form can be challenging and costly for some providers, and DRDC-CSS can help by explaining the types of information required, by providing guidance on preparing the submissions, and by allowing costs for preparing submissions as eligible expenses under CRTI and PSTP projects. This will be discussed in more detail in Section 4. The RFI can be completed either on-line or off-line.

#### 3.5 Activities after Designation Decision

#### 3.5.1 Insurance Certification

One of the key features of the SAFETY Act is that it provides important legal liability protections for manufacturers and sellers of technologies and services that could save lives in the event of a terrorist attack. Therefore, this stage of the process is very important.

Once the technology or service receives a Designation or Certification approval, DHS requests that the provider submit insurance information. The information is then used to negotiate limits of liability protection that the US Government will provide for the technology or service. Basically, the US Government wishes to ensure that obtaining insurance protection does not either distort the price or prevent commercialization of important counter-terrorism technology. Therefore, it is important to provide information that:

- Indicates the current level of insurance protection that the provider has and if there are issues in obtaining insurance for the new technology or service;
- The potential required insurance based on the projected sales as well as the potential liability as a result of using the technology or service; and,
- The impact of obtaining sufficient insurance on the marketability of the technology or service in terms of cost or availability to a wide variety of end users.

#### 3.5.2 Modification Notice

Once the technology or service is listed as Designated, or is Certified and appears on the Approved Product List, it is incumbent on the provider to notify DHS of any substantive changes to the Technology or Service that could affect its performance, cost, availability, etc. This is known as a modification notice. Again this can be completed on-line or off-line.

#### 3.5.3 New Revisions of an Application

If the applicant has an application that was denied, withdrawn or closed, it can be re-submitted using a "New Revision" Application once the reasons for denial or withdrawing it have been addressed. Also, if the applicant already has one or more technologies or services that are Designated or Certified, and wishes to apply for Certification of an additional technology or service the same process is used. The process of creating a New Revision application benefits the applicant as it pulls in information from previously closed or designated applications. In other words much of the information from the applicant already exists so does not have to be re-entered in the new application.

## 4 Recommendations for Supporting for SAFETY Act Applications

Within the CRTI and PSTP programs the goal to increase the commercial success of the outputs of the projects can be partly achieved by helping industry partners gain access to larger markets in the US. Being a designated technology or service under the SAFETY Act, and appearing on the Approved Products List is a key to success in accessing the US markets. Therefore, aiding industry partners of the CRTI and PSTP programs in applying and receiving positive status under the SAFTEY Act is a valuable service that DRDC-CSS can supply.

The roles and support that DRDC-CSS can provide fall under four categories:

- Support to applying for a designation under the SAFETY Act through allowing the application to be an eligible expense for TD and TA project, and providing guidance on the application process;
- Acting as first customer through limited buys for TD and/or TA projects to increase the likelihood of the technology or service achieving Certified status and a place in the Approved Products List;
- Sponsoring testing to provide evidence of value and performance in operational environments that increase the TRL of the technology or service and provide evidence for the evaluation process under the SAFETY Act; and,
- Working with DHS to develop qualified processes and testing protocols that would be accepted as meeting requirements for qualification in the US.

The application process for designation under the SAFETY Act is complex enough that having the resources and skill to submit the best application in order to receive the highest designation is likely to be difficult for many of the industry partners within the CRTI and PSTP programs. In addition, many do not understand the value of being designated or certified under the SAFETY Act in terms of access to the US first responder market, so they do not apply. Further, many of the partners lack credibility in the US, so the supporting information from customers, end users and credible organizations such as DRDC-CSS becomes critical in achieving success.

Therefore, DRDC-CSS could play a key role in supporting commercialization success of CRTI outputs by improving access to the US market by increasing the proportion of outputs of the TD and TA projects in the CRTI program that receive Certified status under the SAFETY Act.

First, the cost of application (time and level of effort) should become an eligible expense for all TD and TA process. This would encourage industry partners to apply more often because the costs would be covered. At the same time by educating industry partners on the value of SAFETY Act Certification in accessing the highly dispersed customer community in the US and in providing liability protection for them while they are using the technology or service. State and municipal first responder groups often receive funding for counter-terrorism technology purchases with a proviso that they either buy technology from the Approved Product List or

engage in a length process to select and receive approval for a technology or service that is not on the List. Thus most choose the technology or service from the APL as the first choice.

Second, DRDC-CSS could become the "first buyer" either by taking advantage of the CICP program or partially funding acquisition and exploitation of the outputs of the program by first responder groups. Either or both of these efforts would provide critical end user feed-back that forms the basis of the decision process for differentiating between Designated and Certified status. By demonstrating that the technology or service is operational in Canada, many of the key criteria for designation status are fulfilled because the technology or service is proven to be available and capable. Further, by eliciting positive feed-back from the users on the criticality and performance level, the industry applicant can prove to DHS that their technology or service fills an operational capability gap and thereby achieve Certification status, and access to first responder groups throughout the US through the APL.

Third, DRDC-CSS could sponsor specific operational tests in the US (or equivalent ones in Canada) that demonstrate the value and importance of the outputs of the CRTI projects. Proof of reproducible performance in operational environments is a major criterion in determining the designation status and is a key to achieving Certification. Thus, by sponsoring operational testing as designed by the intended customers in the US, the provider will gain credibility and access to potential customers. This is very important in establishing a customer base in the US upon which to demonstrate a sustainable business.

Finally, DRDC-CSS should work with the DHS to gain higher profile for the outputs of the CRTI and PSTP programs in the US, perhaps by sponsoring a Canadian technology day at the Canadian Embassy in Washington with the concurrence and support of the DHS. This type of event provides the "critical mass" needed to attract a broad range of potential customers to the see the technologies and services that have been developed through the CRTI and PSTP programs.

#### **5** Supporting Materials and References

There are many supporting documents available at the US Department of Homeland Security SAFETY Act web site, <a href="https://www.safetyact.gov/">https://www.safetyact.gov/</a>.

Key references are two powerpoint presentations, the SAFETY Act 101 Primer and ASapplicantGuide. The Primer provides a briefing on the SAFETY Act objectives, eligibility, and the criteria and value of each of the designation levels. The ASapplicantGuide provides a step-by-step guide to applying for designation on-line. An additional Adobe pdf file, SAFETY Act Application kit, provides an off-line application form and detailed guidance on filling it out. All three are available on the web site and are attached below.

## Annex A Support Anti-terrorism by Fostering Effective Technologies Act of 2002

### Subtitle G—Support Anti-terrorism by Fostering Effective Technologies Act of 2002 SEC. 861. SHORT TITLE.

This subtitle may be cited as the "Support Anti-terrorism by Fostering Effective Technologies Act of 2002" or the "SAFETY Act".

#### SEC. 862. ADMINISTRATION.

- (a) IN GENERAL.—The Secretary shall be responsible for the administration of this subtitle.
- (b) DESIGNATION OF QUALIFIED ANTI-TERRORISM TECHNOLOGIES.
- —The Secretary may designate anti-terrorism technologies that qualify for protection under the system of risk management set forth in this subtitle in accordance with criteria that shall include, but not be limited to, the following:
- (1) Prior United States Government use or demonstrated substantial utility and effectiveness.
- (2) Availability of the technology for immediate deployment in public and private settings.
- (3) Existence of extraordinarily large or extraordinarily unquantifiable potential third party liability risk exposure to the Seller or other provider of such anti-terrorism technology.
- (4) Substantial likelihood that such anti-terrorism technology will not be deployed unless protections under the system of risk management provided under this subtitle are extended.
- (5) Magnitude of risk exposure to the public if such antiterrorism technology is not deployed.
- (6) Evaluation of all scientific studies that can be feasibly conducted in order to assess the capability of the technology to substantially reduce risks of harm.
- (7) Anti-terrorism technology that would be effective in facilitating the defense against acts of terrorism, including technologies that prevent, defeat or respond to such acts.
- (c) REGULATIONS.—The Secretary may issue such regulations, after notice and comment in accordance with section 553 of title 5, United States Code, as may be necessary to carry out this subtitle

#### SEC. 863. LITIGATION MANAGEMENT.

- (a) FEDERAL CAUSE OF ACTION.—
- (1) IN GENERAL.—There shall exist a Federal cause of action for claims arising out of, relating to, or resulting from an act of terrorism when qualified anti-terrorism technologies have been deployed in defense against or response or recovery from such act and such claims result or may result in loss to the Seller. The substantive law for decision in any such action shall be derived from the law, including choice of law principles, of the State in which such acts of terrorism occurred, unless such law is inconsistent with or preempted by Federal law. Such Federal cause of action shall be brought only for claims for injuries that are proximately caused by sellers that provide qualified anti-terrorism technology to Federal and non-Federal government customers.

  (2) JURISDICTION.—Such appropriate district court of the United States shall have original and exclusive jurisdiction over all actions for any claim for loss of property, personal injury, or death arising out of, relating to, or resulting from an act of terrorism when qualified anti-terrorism technologies have been deployed in defense against or response or recovery from such act and such claims result or may result in loss to the Seller.

- (b) SPECIAL RULES.—In an action brought under this section for damages the following provisions apply:
- (1) PUNITIVE DAMAGES.—No punitive damages intended to punish or deter, exemplary damages, or other damages not intended to compensate a plaintiff for actual losses may be awarded, nor shall any party be liable for interest prior to the judgment.
- (2) NONECONOMIC DAMAGES.—
- (A) IN GENERAL.—Noneconomic damages may be awarded against a defendant only in an amount directly proportional to the percentage of responsibility of such defendant for the harm to the plaintiff, and no plaintiff may recover noneconomic damages unless the plaintiff suffered physical harm.
- (B) DEFINITION.—For purposes of subparagraph (A), the term "noneconomic damages" means damages for losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship,

loss of consortium, hedonic damages, injury to reputation, and any other nonpecuniary losses. (c) COLLATERAL SOURCES.—Any recovery by a plaintiff in an action under this section shall be reduced by the amount of collateral source compensation, if any, that the plaintiff has received or is entitled to receive as a result of such acts of terrorism that result or may result in loss to the Seller.

#### (d) GOVERNMENT CONTRACTOR DEFENSE.—

- (1) IN GENERAL.—Should a product liability or other lawsuit be filed for claims arising out of, relating to, or resulting from an act of terrorism when qualified anti-terrorism technologies approved by the Secretary, as provided in paragraphs (2) and (3) of this subsection, have been deployed in defense against or response or recovery from such act and such claims result or may result in loss to the Seller, there shall be a rebuttable presumption that the government contractor defense applies in such lawsuit. This presumption shall only be overcome by evidence showing that the Seller acted fraudulently or with
- willful misconduct in submitting information to the Secretary during the course of the Secretary's consideration of such technology under this subsection. This presumption of the government contractor defense shall apply regardless of whether the claim against the Seller arises from a sale of the product to Federal Government or non-Federal Government customers.
- (2) EXCLUSIVE RESPONSIBILITY.—The Secretary will be exclusively responsible for the review and approval of antiterrorism technology for purposes of establishing a government contractor defense in any product liability lawsuit for claims arising out of, relating to, or resulting from an act of terrorism

when qualified anti-terrorism technologies approved by the Secretary, as provided in this paragraph and paragraph (3), have been deployed in defense against or response or recovery from such act and such claims result or may result in loss to the Seller. Upon the Seller's submission to the Secretary for

approval of anti-terrorism technology, the Secretary will conduct a comprehensive review of the design of such technology and determine whether it will perform as intended, conforms to the Seller's specifications, and is safe for use as intended. The Seller will conduct safety and hazard analyses on such technology and will supply the Secretary with all such information.

- (3) CERTIFICATE.—For anti-terrorism technology reviewed and approved by the Secretary, the Secretary will issue a certificate of conformance to the Seller and place the antiterrorism technology on an Approved Product List for Homeland Security.
- (e) EXCLUSION.—Nothing in this section shall in any way limit the ability of any person to seek any form of recovery from any person, government, or other entity that—

(1) attempts to commit, knowingly participates in, aids and abets, or commits any act of terrorism, or any criminal act related to or resulting from such act of terrorism; or (2) participates in a conspiracy to commit any such act of terrorism or any such criminal act.

#### SEC. 864. RISK MANAGEMENT.

- (a) IN GENERAL.—
- (1) LIABILITY INSURANCE REQUIRED.—Any person or entity that sells or otherwise provides a qualified anti-terrorism technology to Federal and non-Federal Government customers ("Seller") shall obtain liability insurance of such types and in such amounts as shall be required in accordance with this
- section and certified by the Secretary to satisfy otherwise compensable third-party claims arising out of, relating to, or resulting from an act of terrorism when qualified anti-terrorism technologies have been deployed in defense against or response or recovery from such act.
- (2) MAXIMUM AMOUNT.—For the total claims related to 1 such act of terrorism, the Seller is not required to obtain liability insurance of more than the maximum amount of liability insurance reasonably available from private sources on the world market at prices and terms that will not unreasonably
- distort the sales price of Seller's anti-terrorism technologies.
- (3) SCOPE OF COVERAGE.—Liability insurance obtained pursuant to this subsection shall, in addition to the Seller, protect the following, to the extent of their potential liability for involvement in the manufacture, qualification, sale, use, or operation of qualified anti-terrorism technologies deployed in defense against or response or recovery from an act of terrorism:
- (A) Contractors, subcontractors, suppliers, vendors and customers of the Seller.
- (B) Contractors, subcontractors, suppliers, and vendors of the customer.
- (4) THIRD PARTY CLAIMS.—Such liability insurance under this section shall provide coverage against third party claims arising out of, relating to, or resulting from the sale or use of anti-terrorism technologies.
- (b) RECIPROCAL WAIVER OF CLAIMS.—The Seller shall enter into a reciprocal waiver of claims with its contractors, subcontractors, suppliers, vendors and customers, and contractors and subcontractors
- of the customers, involved in the manufacture, sale, use or operation of qualified anti-terrorism technologies, under which each party to the waiver agrees to be responsible for losses, including business interruption losses, that it sustains, or for losses sustained by its own employees resulting from an activity resulting from an act of terrorism when qualified anti-terrorism technologies have been deployed in defense against or response or recovery from such act.
- (c) EXTENT OF LIABILITY.—Notwithstanding any other provision of law, liability for all claims against a Seller arising out of, relating to, or resulting from an act of terrorism when qualified anti-terrorism

technologies have been deployed in defense against or response or recovery from such act and such claims result or may result in loss to the Seller, whether for compensatory or punitive damages or for contribution or indemnity, shall not be in an amount greater than the limits of liability insurance coverage required to be maintained by the Seller under this section.

#### SEC. 865. DEFINITIONS.

For purposes of this subtitle, the following definitions apply:

(1) QUALIFIED ANTI-TERRORISM TECHNOLOGY.—For purposes of this subtitle, the term 'qualified anti-terrorism technology' means any product, equipment, service (including support services),

device, or technology (including information technology) designed, developed, modified, or procured for the specific purpose of preventing, detecting, identifying, or deterring acts of terrorism or limiting the harm such acts might otherwise cause, that is designated as such by the Secretary.

- (2) ACT OF TERRORISM.—(A) The term "act of terrorism" means any act that the Secretary determines meets the requirements under subparagraph (B), as such requirements are further defined and specified by the Secretary.
- (B) REQUIREMENTS.—An act meets the requirements of this subparagraph if the act—(i) is unlawful;
- (ii) causes harm to a person, property, or entity, in the United States, or in the case of a domestic United

States air carrier or a United States-flag vessel (or a vessel based principally in the United States on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), in or outside the United States; and (iii) uses or attempts to use instrumentalities, weapons or other methods designed or intended to cause mass destruction, injury or other loss to citizens or institutions of the United States.

- (3) INSURANCE CARRIER.—The term "insurance carrier" means any corporation, association, society, order, firm, company, mutual, partnership, individual aggregation of individuals, or any other legal entity that provides commercial property and casualty insurance. Such term includes any affiliates
- of a commercial insurance carrier.
- (4) LIABILITY INSURANCE.—
- (A) IN GENERAL.—The term 'liability insurance' means insurance for legal liabilities incurred by the insured resulting from—
- (i) loss of or damage to property of others;
- (ii) ensuing loss of income or extra expense incurred because of loss of or damage to property of others;
- (iii) bodily injury (including) to persons other than the insured or its employees; or
- (iv) loss resulting from debt or default of another.
- (5) LOSS.—The term "loss" means death, bodily injury, or loss of or damage to property, including business interruption loss.
- (6) NON-FEDERAL GOVERNMENT CUSTOMERS.—The term ''non-Federal Government customers' means any customer of a Seller that is not an agency or instrumentality of the United States Government with authority under Public Law 85–804 to provide for indemnification under certain circumstances for

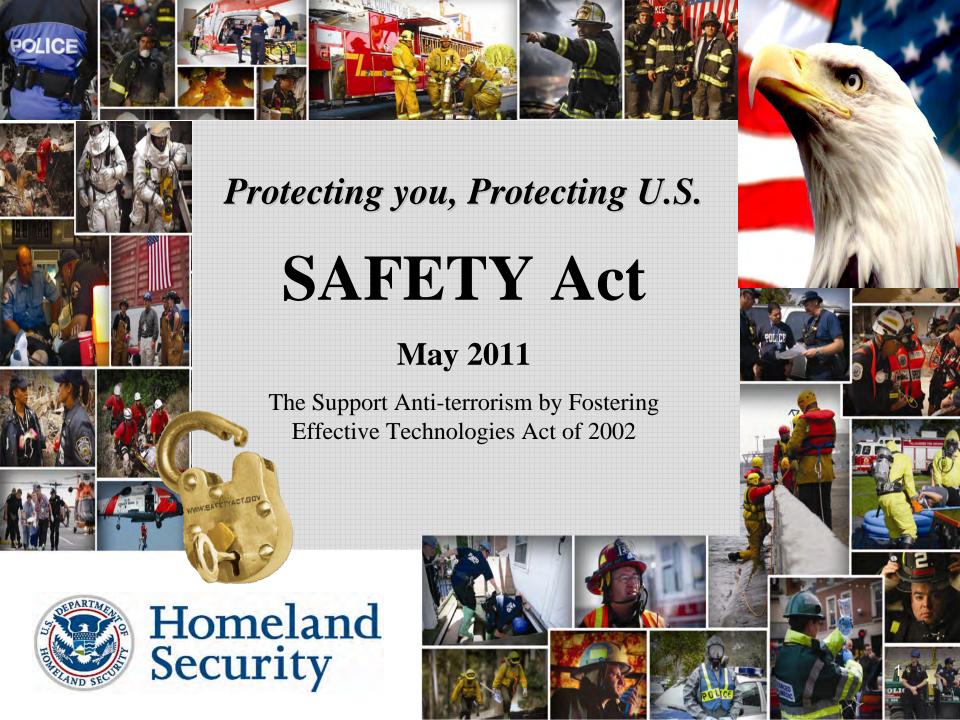
third-party claims against its contractors, including but not limited to State and local authorities and commercial entities.

## Annex B US Department Of Homeland Security – Safety Act

Safety Act Overview Briefing
Full briefing at <a href="https://www.safetyact.gov/">https://www.safetyact.gov/</a> called "Safety Act 101 Briefing"

SAFETY Act Application Process Briefing

Full briefing at <a href="https://www.safetyact.gov/">https://www.safetyact.gov/</a> called "Step-by-step User Guide"



## A Summary of the SAFETY Act

- The Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (SAFETY Act) was enacted as part of the Homeland Security Act of 2002 (Title VIII, Subtitle G)
- Intended to facilitate the development and deployment of <u>effective anti-terrorism technologies</u> by creating systems of "risk management" and "litigation management"
- Provides important legal liability protections for manufacturers and sellers of technologies and services that could save lives in the event of a terrorist attack
- Protections apply only to claims arising out of, relating to, or resulting from an <u>Act of Terrorism</u>



# What is Eligible for SAFETY Act Protections?

The SAFETY Act liability protections apply to a wide range of technologies, including:

- Products
- Services
- Software and other forms of intellectual property

## Examples of eligible technologies:

- Threat and vulnerability assessment services
  - Detection Systems
  - Blast Mitigation Materials
    - Screening Services
  - Sensors and Sensor Integration
    - Threatening Object Detectors
      - Decision Support Software
        - Security Services
    - Crisis Management Systems
    - Cyber Security Technologies



1. Two Principal Levels of Protection

Certification:
High confidence
it will continue
to be effective.

Government Contractor
Defense

Designation: Proven effectiveness.

Liability Cap

#### DTED:

Additional evidence of effectiveness needed. Shows potential.



## 2. Benefits of Designation



- Liability = Insurance required by DHS
- Exclusive action in Federal Court
- No Joint and Several Liability for noneconomic damages
- No punitives or prejudgment interest
- Recovery reduced by amounts from collateral sources



## 3. Benefits of Certification

- Benefits of Designation +
- SEPRIMENT OF HOMELAND SECURITY
  SIN SAFETY
  SEPRIMENT OF HOMELAND
  SE
- Assert Government Contractor Defense
  - Even if not selling to a Government entity
  - Includes services and COTS
- Placed on SAFETY Act's Approved Product List for Homeland Security



## 4. SAFETY Act Protections Extend to Users

(whether Designation or Certification)

"Such cause of action may be brought only against the Seller of the QATT and may not be brought against the buyers, the buyers' contractors, downstream users of the QATT, the Seller's suppliers or contractors, or any other person or entity..."

-Preamble to Final Rule, 6 CFR Part 25, at 33150.



## 5. Criteria for Designation

- Prior United States Government use or demonstrated substantial utility and effectiveness
- Availability of the Technology for immediate deployment in public and private settings
- Existence of extraordinarily large or unquantifiable potential third party liability risk exposure to the Seller or other provider of the technology
- Substantial likelihood that the Technology will not be deployed unless SAFETY Act risk management protections are extended
- Magnitude of risk exposure to the public if the Technology is not deployed
- Evaluation of scientific studies that can be feasibly conducted in order to assess the capability of the Technology to substantially reduce risks of harm
- Whether the Technology is effective in facilitating the defense against Acts of Terrorism
- ATT determination made by Federal, State, or Local officials



## 5a. How to Establish Effectiveness

- Successful testing in operational environment
- Operational testing
  - > Evidence of performance metrics, including:
    - ✓ Probability of Detection
    - ✓ False Positive and False Negative Rates
    - ✓ Limits of Detection (and why that limit is relevant)
    - ✓ Interferrents
    - ✓ Maintenance and Training
- Suitable performance of past deployments documented
- Domain expertise appropriate and available
- In/external audits favorable
- Customer feedback favorable
- QA plans documented
- Repeatability proven





## 6. Criteria for Certification



Designation is a prerequisite for granting Certification

To receive Certification, a Qualified Anti-terrorism Technology must also be shown to:

- Perform as intended
- Conform to the Seller's specifications
- Be safe for use as intended
  - Seller is required to provide safety and hazard analyses



### 6a. Performs as Intended

## High confidence it will continue to be effective

- Consistent positive results (e.g., long-term low failure rates and false alarms)
- Reliability/Availability is high (e.g., MTBF)
- Performs in accordance with performance specifications
- Installation, use, maintenance procedures proven
- Documented processes (e.g., training, hiring, technology refresh) are being followed
- Standards are identified and met
- QA/QC processes are effective





#### **Essential Concepts**

#### 7. DT&E Designation

#### For technology that:

- Is in a prototype stage
- Has lab tests that are not operational in nature (too controlled)
- Indicated potential effectiveness
- Has a testing scenario identified and "customers" to prove relevant metrics
- Limited term (up to 3 yr) and limited number of sites





#### **Essential Concepts**

#### 8. SAFETY Act Award Summary

|                             | DTED  | Designation   | Certification  |
|-----------------------------|---|---|--|
| Effectiveness<br>Evaluation | Needs more proof, but potential exists                                | Proven effectiveness (with confidence of repeatability) | Consistently proven effectiveness (with high confidence of enduring effectiveness) |
| Protection                  | Liability cap<br>only for   | Liability cap for any and all                           | Government Contractor of Defense (GCD)   |
|                             | identified test<br>event(s) and<br>for limited<br>duration<br>(≤3yrs) | deployments<br>made within 5-8<br>year term             | for any and all deployments made within 5-8 year term                              |



#### Timeline of SAFETY Act Application Review Process







## How is Your Proprietary Data Protected? Protected?

- Strong data protection measures that conform to DHS information security standards
- All application reviewers are screened for conflicts of interests, sign conflict of interest statements for each application they review, and sign general nondisclosure agreements





#### Who are the SAFETY Act Reviewers?

- Conflict of Interest & Non-Disclosure Agreement signed by each reviewer per application.
- Three Technical Reviewers and two Economic Reviewers per application.
- Reviewers from the FFRDCs, non-profits, Federal Government, Federal & National Labs, and Academia.
- 100+ already trained reviewers (SMEs) in:



**≻**Cyber

➤ Economic

➤ Chemical ➤ Rad/Nuc

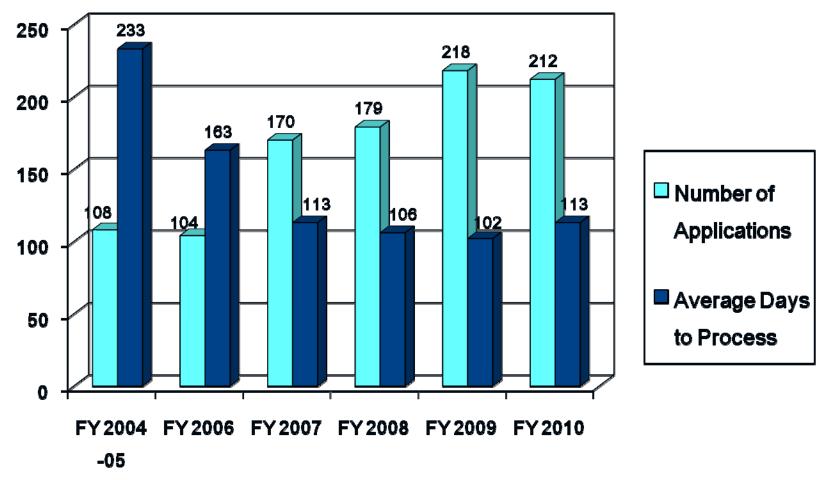
➤Biological ➤ Human

➤ Explosive ➤ Services



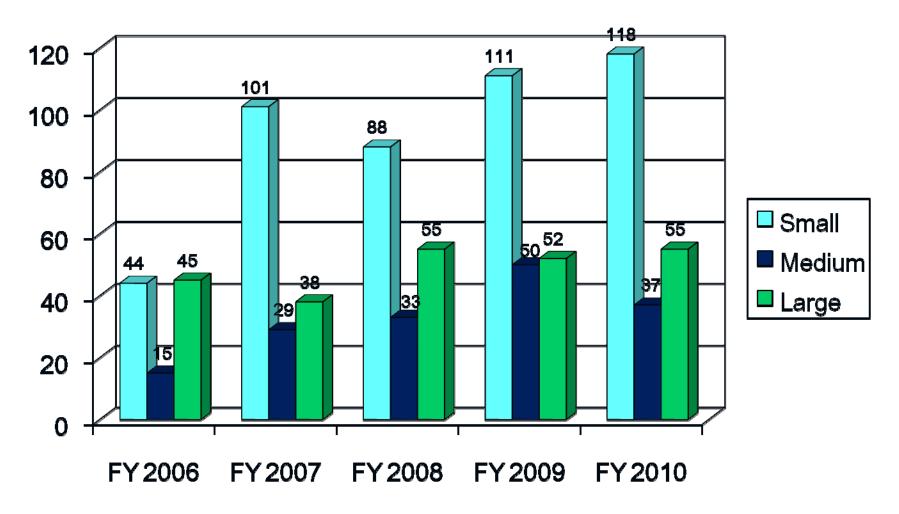


### **SAFETY Act Progress**





### **Applications by Company Size**



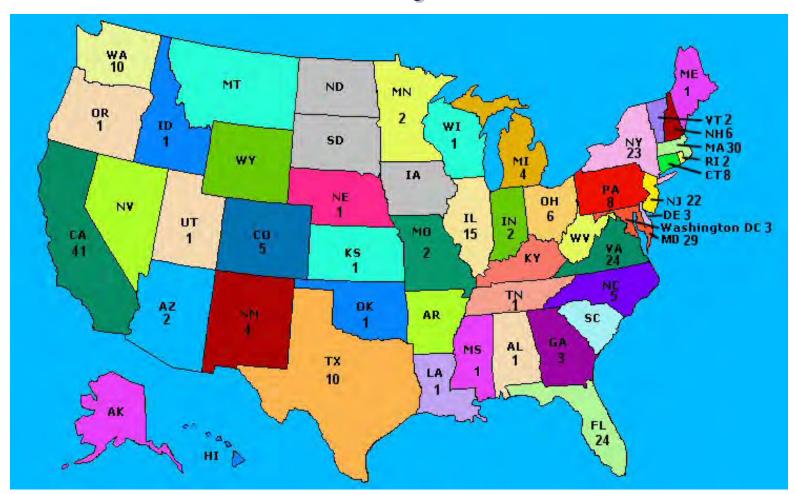


**Small** = \$0 - \$50,000,000

**Medium** = \$50,000,000 - \$1,000,000,000

**Large** = Over \$1,000,000,000 by Net Revenue

### **Awards by State**





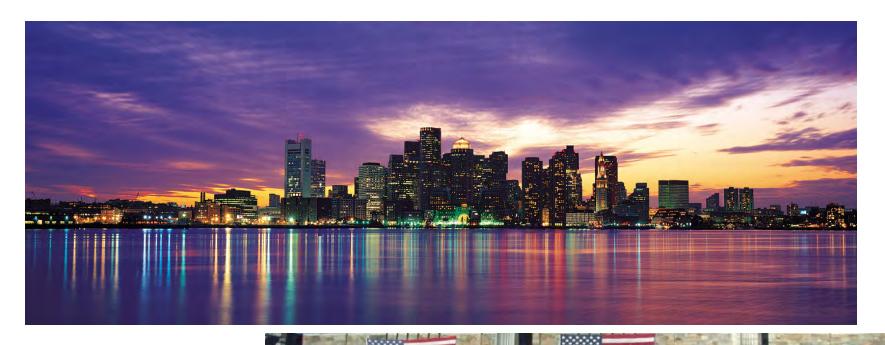


LOOKING AHEAD..

AREAS OF EMPHASIS...

Out of many, one

### CRITICAL INFRASTRUCTURE







### TRANSPORTATION SECURITY









### SAFER PRODUCTS & PROCESSES





### COMMERCIAL FACILITIES





### SMALL BUSINESS











### PUBLIC VENUES





#### **Additional SAFETY Act Information**



- Online: <u>www.safetyact.gov</u>
  - > FAQs
  - Help Topics
  - Help Desk: Online form for questions requiring an individual response
- Email: <u>SAFETYActHelpDesk@dhs.gov</u>
- Toll-Free: 1-866-788-9318



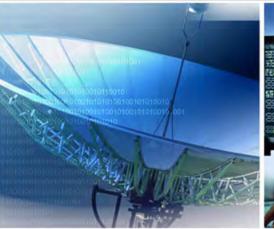


# User Guide Applicant











### SAFETY ACT



#### **Table of Contents**

# What is the SAFETY Act? Applicant Guide Help Desk





#### What is the SAFETY Act?

As part of the Homeland Security Act of 2002, Public Law 107-296, Congress enacted the SAFETY Act. The SAFETY Act provides incentives for the development and deployment of anti-terrorism technologies by creating a system of "risk management" and a system of "litigation management." The purpose of the Act is to ensure that the threat of liability does not deter potential manufacturers or Sellers of anti-terrorism technologies from developing and commercializing technologies that could significantly reduce the risks or mitigate the effects of large-scale terrorist events. The Act thus creates certain liability limitations for "claims arising out of, relating to, or resulting from an act of terrorism" where qualified anti-terrorism technologies have been deployed.





#### Applicant Guide

- Creating an Applicant Account
- Submitting an Application
- Completion Notice
- Request for Information (RFI)
- Insurance Certification
- Modification Notice
- New Revisions of an Application
- Change Password













| Registration Data                                    |   | Cancel      |     |
|--|---|-------------|-----|
| *User Name:  |   | Submit      |     |
| * <u>Password:</u> *Confirm Passwor <u>d:</u>        |   | Complete th | ıe  |
| contail  | Your Password must be 8-12 characters long at least 1 uppercase letter, 1 lowercase lette ber or special character. |             | orn |
| NAICS Code:  *How did you hear about the SAFETY Act? | -Please Make a Selection-   | <b>∀</b>    |     |
| Primary Point of Contact                             |   |             |     |
| *First Name:   |   |             |     |
| *Last Name:  |   |             |     |
| *Street Address:                                     |   |             |     |
|  |   |             |     |





#### **Applicant Registration** Fields marked with an asterisk (\*) are required. **ACTIONS** Cancel **Registration Data** \*User Name: Submit JOHNDOE \*Password: \*Confirm Password: \*Seller Name: User Guide Click **DUNS Number:** 259 "Submit" NAICS Code: 2451-5562 \*How did you hear about the Conference SAFETY Act? Please Provide More Information: SAFETY Act Workshop in Arlington, Va on 11/16/2007 Primary Point of Contact \*First Name: John \*Last Name: Doe \*Street Address: 123 Test dr.







If you have successfully submitted your registration this notice will display confirming your success.





# Before you create an application you must create an applicant account.

See Creating an Applicant Account













#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010
Persons are not required to respond to this of unless it displays a currently valid OMB cont

Once logged in, you may create an electronic Application.

#### First Time Applicants:

Applicants are strongly encouraged to consider first submitting a Pre-Application form to request a Pre-Application Consultation. A Pre-Application Consultation is a voluntary means through which the Office of SAFETY Act Implementation (OSAI) provides helpful guidance to potential applicants without requiring the completion and submission of a full SAFETY Act Application. The Pre-Application Consultation is intended

to facilitate a process by which a potential applicant may provide OSAI with initial their Technology, so that OSAI may, in turn, provide potential applicants with guissubmission of an Application for SAFETY Act Designation. The Pre-Application (intended to facilitate discussions regarding the SAFETY Act Application process

Create New Pre Application (request for Pre-Application Consultation)
Create New Designation Application (for Application for QATT Designation)
Create New Designation and Certification Application (full Application for comand GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmenta Designation)

Download and review full Application Kit and instructions

#### \*\* POPUP BLOCKERS \*\*

You must disable all popup blockers you may have running in order to success

Applicant Tools

Create
 Application
 Procurement Application

View
 My Open Applications
 My Closed Applications

Account Center
JOHNDOE

For the purpose of this guide, training will be focused on an Application for Designation.

Select "Create New Designation Application"

Note: Designation is Prerequisite for Certification





#### **QATT** Application

Received Via: Online Form Status: Draft

Fields marked with an asterisk (\*) are required.

Submission Date:

Next

ACTIONS

Cancel

Save as Draft Save as Draft & Close Submit as Final

Change Application Type

Application Instructions

Important: Read carefully and comply precisely with the related Instructions for completing a Designation Application.

After completing this Seller Information page, please proceed to the next section by selecting "ATT Details" on the Sections menu located on the right-hand side of this screen.

Please ensure the accuracy of the information below. If the information has changed:

- Select Edit My Account Info
- Make the necessary changes to your Applicant Registration
- Select Submit
- Reset the Seller Information below using the "Reset Seller Information" button

Reset Seller Information

#### SECTIONS

- 1. Seller Information
- 2. Application Details
- 3. Related Links

SELLER INFORMATION

Registration Information

Applicant ID JOHNDOE
Seller Name User Guide
Data Universal Numbering 259

Data Universal Numbering System (DUNS) Number Confirm the Seller Information and then select "Application Details" located under the Sections menu.

Note: Click here to update your
Applicant information on your
Application. You will need to click the
"Reset Seller Information" for change
to take effect.





#### APPLICATION DETAILS

#### APPLICATION TYPE and PURPOSE

D1. Type of Application

Initial Filing

#### D1.1. \* Public Web site Listing

If your Technology is awarded SAFETY Act coverage, you have the opportunity to be listed on the SAFETY Act website as a Designated Seller of a Qualified Anti-Terrorism Technology (QATT). [For example, if you apply for Designation and Certification and receive Designation, your technology will be listed under Designated Technologies. Or, if you are granted DT&E Designation, regardless of which protection you applied for, you will be so listed on the Web site. Note: By statute, all Certified Technologies will be displayed in the Approved Products List for Homeland Security on the Web site.]

#### (Choose one)

- I wish to have this technology listed on the public website under the appropriate classification.
- O I do not wish to have this technology listed on the public website under the approp classification.

#### D2. Request for Expedited Review 3



In its discretion, the Department may identify categories of anti-terrorism technologies expedited processing may be granted. For example, the Under Secretary may conduct processing for applications that are the subject of a pending Federal, State or local proaddress a particular threat, that involve particular types of anti-terrorism technologies, reasons. If you are requesting expedited review, please specify the basis for such a re applicable, information concerning an ongoing procurement. Such information should following:

- a. The name of procuring organization;
- b. Contact information for relevant Government procurement officials;
- c. The related Request for Proposal (RFP) number or other official identifier of the procurement, if available; and

#### **ACTIONS**

Cancel

Save as Draft Save as Draft & Close Submit as Final Change Application Type Application Instructions

#### SECTIONS

- 1. Seller Information
- 2. Application Details
- 3. Related Links

Complete the webform in its entirety. Be sure to fill in all required fields (marked with an asterisk) and upload the required "ATTDetails" file.





- You have three options after completing the Application:
  - Save As Draft
    - It is strongly suggested that you save as draft regardless of your final selection to prevent the loss of information due to computer failure.
  - Save As Draft & Close
    - You will be able to edit your application. This option does not submit your application to DHS.
  - Submit as Final
    - This option will submit your application to DHS. You will not have the ability to edit your application after this point. Ensure that all necessary information for evaluation of your application is included.





#### APPLICATION DETAILS

#### APPLICATION TYPE and PURPOSE

D1. Type of Application

Initial Filing

(Choose one

#### D1.1. \* Public Web site Listing

If your Technology is awarded SAFETY Act coverage, you have the opportunity to be listed on the SAFETY Act website as a Designated Seller of a Qualified Anti-Terrorism Technology (2417). [For example, if you apply for Designation and Certification and receive Designation, your technology will be listed under Designated Technologies. Or, if you are granted DT&E Designation, regardless of which protection you d Technologies will be applied for, v displayed in site.]

Select "Save as Draft"

I wish to have this technology listed on the public website under the appropriate classification.

O I do not wish to have this technology listed on the public website under the appropriate classification.

#### D2. Request for Expedited Review



In its discretion, the Department may identify categories of anti-terrorism technologies for which expedited processing may be granted. For example, the Under Secretary may conduct expedited processing for applications that are the subject of a pending Federal, State or local procurement, that address a particular threat, that involve particular types of anti-terrorism technologies, or for other reasons. If you are requesting expedited review, please specify the basis for such a request, including, if applicable, information concerning an ongoing procurement. Such information should include the following:

- a. The name of procuring organization:
- b. Contact information for relevant Government procurement officials;
- c. The related Request for Proposal (RFP) number or other official identifier of the procurement, if available; and

#### **ACTIONS**

Cancel

Save as Draft Save as Draft & Close Submit as Final Change Application Type Application Instructions

#### SECTIONS

- Seller Information
- 2. Application Details
- 3. Related Links



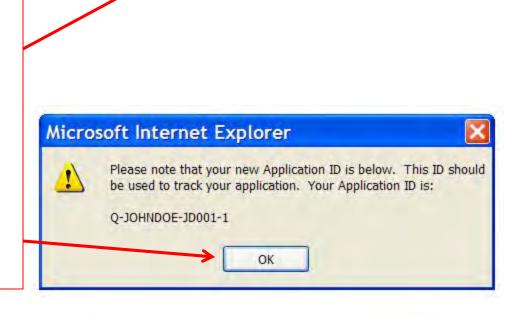


Application ID Number changed to:

After you have selected "Save As Draft" this window will appear identifying your new Application ID.

This ID will then be used to track your application.

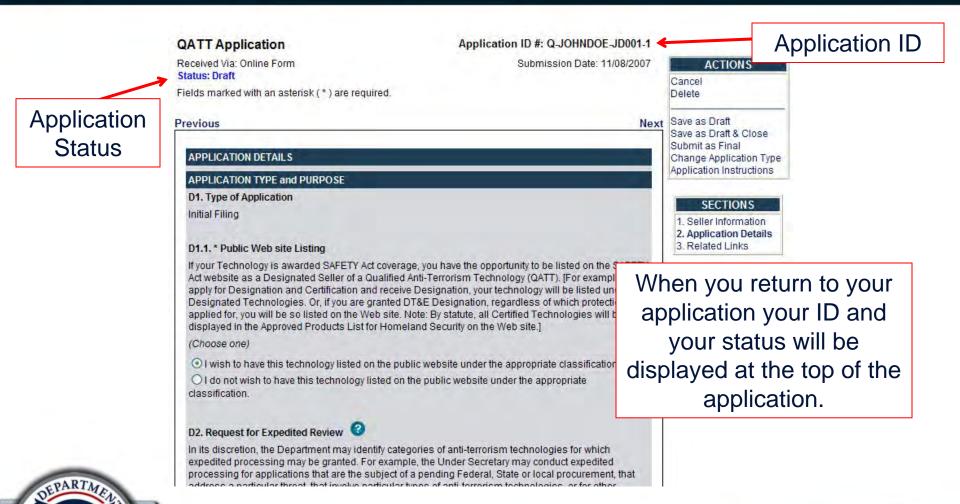
Select "OK" to return to your application.



Q-JOHNDOE-JD001-1



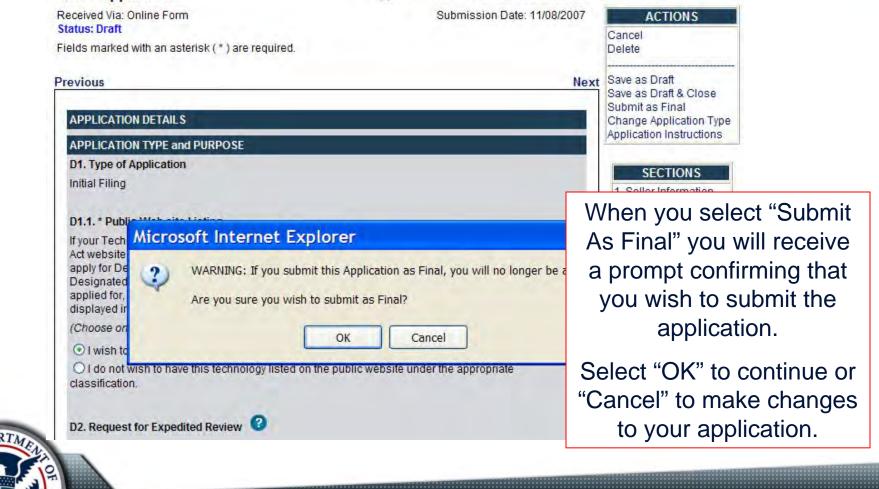






Application ID #: Q-JOHNDOE-JD001-1

**QATT Application** 



**UNCLASSIFIED** 



#### DECLARATION **ACTIONS** Under penalty of perjury, I declare, to the best of my knowledge and belief, that all statements made and Cancel information provided in this Application and any accompanying documents are true, correct, and complete. Submit Accept/Sign Before you can complete your application submission Prepared By: you must sign and accept the online declaration. Title (if applicable): Enter your Name and Title and select "Accept/Sign" Signature:



Date:



# Submitting an Application

#### DECLARATION

Under penalty of perjury, I declare, to the best of my knowledge and belief, that all statements made and information provided in this Application and any accompanying documents are true, correct, and complete.

| Cancel |  |
|--------|--|
| Submit |  |

Prepared By:

John Doe

Title (if applicable):

CEO

Signature:

✓ (signed electronically via website)

Date:

Thursday November 8, 2007

If you have completed the previous step correctly your declaration should be completely filled out and you may select "Submit"





# Submitting an Application

After you submit your application you will return to the home page.

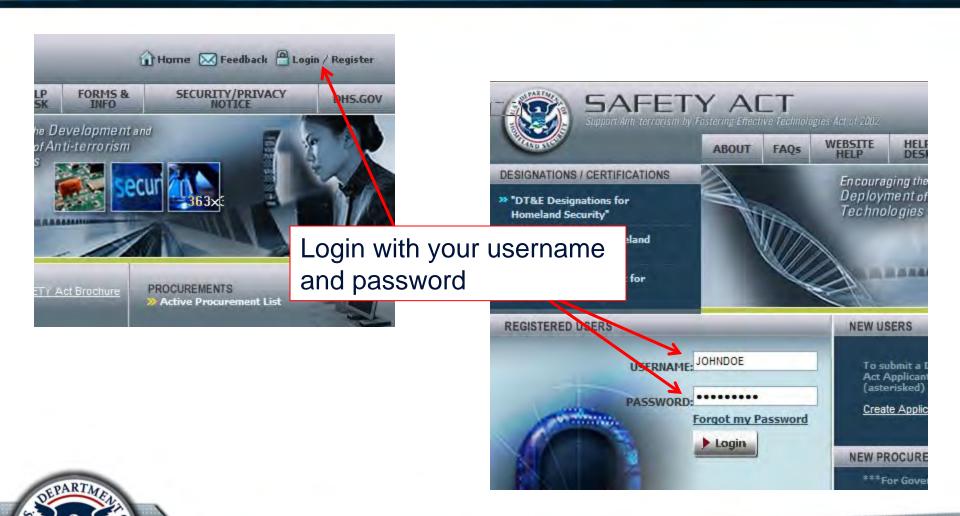




After DHS receives your application they will perform a Completeness Check. You will receive an email notification when this phase is complete. If DHS determines your application to be complete but they require more information in order to perform a full evaluation, you will be asked to submit a Completeness Response. If your application is determined to be Incomplete you will receive specifics in your email notification and will have the opportunity to resubmit your application.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

Applicants are strongly encouraged to consider first submitting a Pre-Application form to request a Pre-Application Consultation. A Pre-Application Consultation is a voluntary means through which the Office of SAFETY Act Implementation (OSAI) provides helpful guidance to potential applicants without requiring the completion and submission of a full SAFETY Act Application. The Pre-Application Consultation is intended to facilitate a process by which a potential applicant may provide OSAI with initial information regarding their Technology, so that OSAI may, in turn, provide potential applicants with guidance regarding the submission of an Application for SAFETY Act Designation. The Pre-Application Consultation is also intended to facilitate discussions regarding the SAFETY Act Application process.

Create New Pre Application (request for Pre-Application Consultation)

Create New Designation Application (full Application for QATT Designation)

<u>Create New Designation and Certification Application</u> (full Application for combined QATT Designation and GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

#### \*\* POPUP BLOCKERS \*\*

You must disable all popup blockers you may have running in order to successfully submit an application.



Select "My Open Applications" under View in the Applicant Tools menu







Select your application by clicking the submission date next to your Application ID.

Note: The envelope icon next to the date denotes your application is awaiting a response.



### **QATT Application**

Received Via: Online Form Additional Attachments: No

Status: Evaluation

Awaiting Completeness Response

#### Application ID #: Q-JOHNDOE-JD001-1

Submission Date: 11/08/2007 Under Review: 0 Days

Expected DHS Decision Date: 02/06/2008

#### ACTIONS

SECTIONS

Seller Information
 Application Details

Close

Printable Version Create Clone App

3. Declaration
4. Related Links

#### Previous

#### RELATED LINKS

Correspondence

Completion Notice

#### **Edit History**

11/08/2007 08:29:49 AM: Created by JOHNDOE 11/08/2007 8:39:45 AM: Edited by JOHNDOE 11/08/2007 9:23:58 AM: Edited by JOHNDOE 11/08/2007

Select the Related Links Section

**Previous** 

Select "Completion Notice" to read DHS' letter to you





#### **Completion Notice**

Awaiting Completeness Response

Created by brent admin 11/08/2007 10:18:47 AM Sent to Applicant by the Help Desk 11/08/2007

Decision:

Complete

Request More Information at this time?

Yes

To: (Letter will be sent via hard copy)

cc:

Subject: SAFETY Act Application Q-JOHNDOE-JD001-1

Body: DHS has sent you the following correspondence in response to your SAFETY Act application. Log in to the SAFETY Act website and open

application. Navigate to the Correspondence section to locate your le

more details.

Select "Completeness Response" under the Actions menu to respond to DHS' Completion Notice

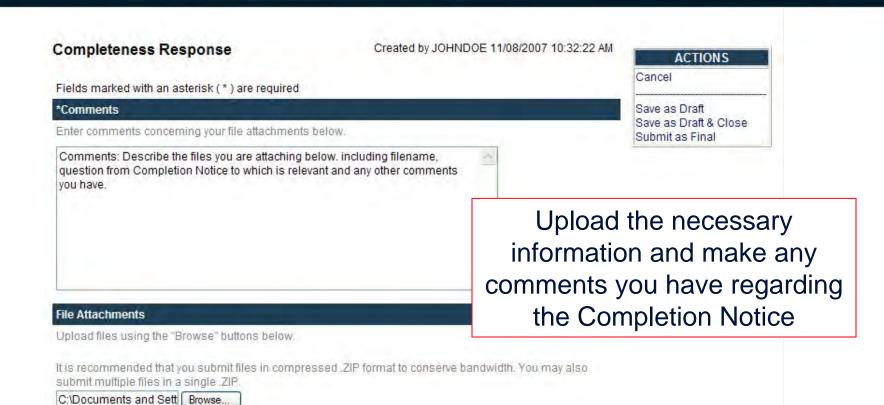
**ACTIONS** 

Close Completeness

Response

The information contained in this communication is intended only for the use of the named recipient. It is confidential, and may be legally protected and/or privileged. If the reader of this message is not the intended recipient, you are hereby notified that the dissemination, distribution, or copying of this communication, or any part thereof, is strictly prohibited. If you have received this communication in error please return to the sender and delete the original







C:\Documents and Sett | Browse.

Browse.



- You have three options after completing the response:
  - Save As Draft
    - It is strongly suggested that you save as draft regardless of final selection to prevent the loss of information due to computer failure.
  - Save As Draft & Close
  - Submit as Final





#### Completeness Response

Created by JOHNDOE 11/08/2007 10:32:22 AM

Fields marked with an asterisk (\*) are required

#### \*Comments

Enter comments concerning your file attachments below.

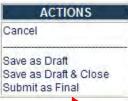
Comments: Describe the files you are attaching below. including filename, question from Completion Notice to which is relevant and any other comments you have.

#### **File Attachments**

Upload files using the "Browse" buttons below.

It is recommended that you submit files in compressed .ZIP format to conserve bandwidth. You may also submit multiple files in a single .ZIP.

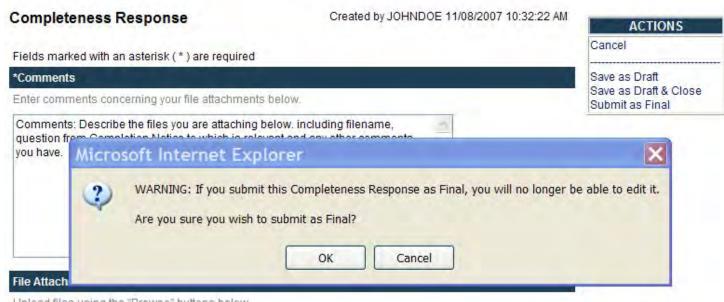
| C:\Documents and Sett | Browse |
|-----------------------|--------|
| C:\Documents and Sett | Browse |
|                       | Browse |
|                       | Browse |
|                       |        |



Select "Submit as Final" under the Actions menu





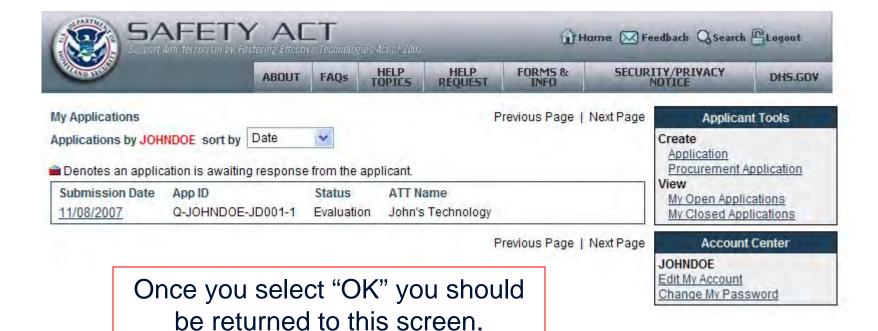


Upload files using the "Browse" buttons below.

It is recommended that you subsubmit multiple files in a single
C:\Documents and Sett Brows
C:\Documents and Sett Brows
Brows
Brows

When you select "Submit As Final" you will receive a prompt confirming that you wish to submit the Completeness Response. Select "OK" to continue or "Cancel" to make changes to your application.





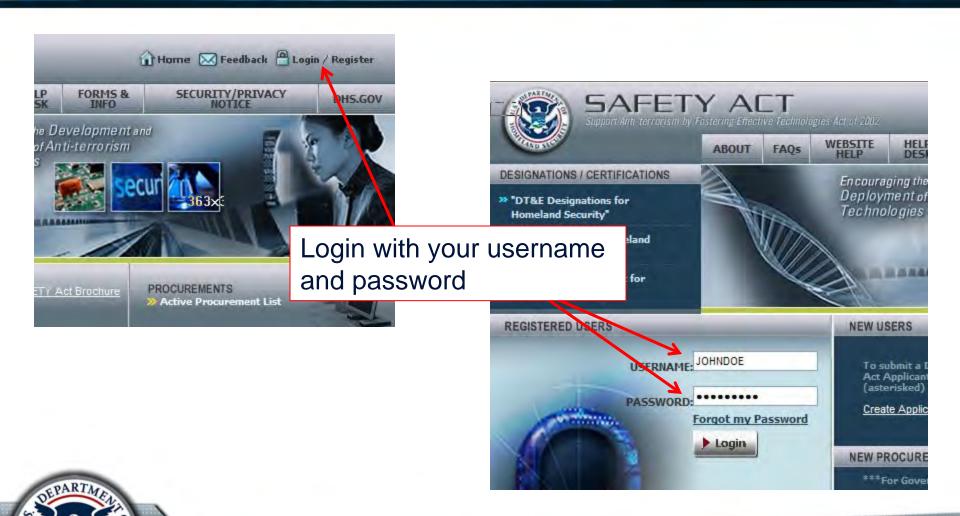




During the evaluation process, OSAI may require more information about your technology before making a final decision. If you receive an email referring to an RFI (Request For Information), you will be asked to submit a RFI Response.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

Applicants are strongly encouraged to consider first submitting a Pre-Application form to request a Pre-Application Consultation. A Pre-Application Consultation is a voluntary means through which the Office of SAFETY Act Implementation (OSAI) provides helpful guidance to potential applicants without requiring the completion and submission of a full SAFETY Act Application. The Pre-Application Consultation is intended to facilitate a process by which a potential applicant may provide OSAI with initial information regarding their Technology, so that OSAI may, in turn, provide potential applicants with guidance regarding the submission of an Application for SAFETY Act Designation. The Pre-Application Consultation is also intended to facilitate discussions regarding the SAFETY Act Application process.

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Create New Designation Application (full Application for QATT Designation)

<u>Create New Designation and Certification Application</u> (full Application for combined QATT Designation and GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

#### \*\* POPUP BLOCKERS \*\*

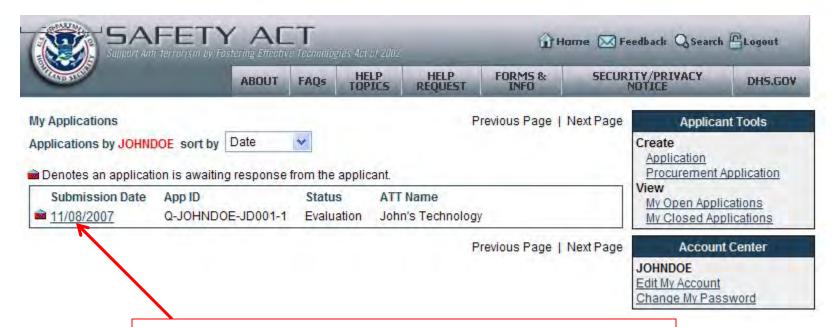
You must disable all popup blockers you may have running in order to successfully submit an application.



Select "My Open Applications" under View in the Applicant Tools menu







Select your application by clicking the submission date next to your Application ID.

Note: The envelope icon next to the date denotes your application is awaiting a response.



#### **QATT Application**

Received Via: Online Form Additional Attachments: No Status: Evaluation Awaiting RFI Response

#### Application ID #: Q-JOHNDOE-JD001-1

Submission Date: 11/08/2007 Under Review: 0 Days Expected DHS Decision Date: 02/06/2008

#### ACTIONS

Close Printable Version Create Clone App

### SELLER INFORMATION

#### Registration Information

Applicant ID JOHNDOE
Seller Name User Guide
Data Universal Numbering 259

Data Universal Numbering System (DUNS) Number

North American Industry 2451-5562

Classification System (NAICS)

Code

#### **Principal POC Information**

Name John Doe Address 123 Test dr.

Chantilly Virginia 20151

United States

Telephone Number 703-555-6789



#### SECTIONS

- 1. Seller Information
- 2. Application Details
- 3. Declaration

Next

4. Related Links

Select "Related Links"



#### **QATT Application**

Received Via: Online Form Additional Attachments: No Status: Evaluation Awaiting RFI Response

#### Application ID #: Q-JOHNDOE-JD001-1

Submission Date: 11/08/2007 Under Review: 0 Days Expected DHS Decision Date: 02/06/2008

#### **ACTIONS**

SECTIONS

1. Seller Information 2. Application Details

3. Declaration 4. Related Links

Close Printable Version Create Clone App

#### Previous

### **RELATED LINKS**

#### Correspondence

Completion Notice

Applicant Response

RFI: Tech RFI

#### **Edit History**

11/08/2007 08:29:49 AM: Created by JOHNDO 11/08/2007 8:39:45 AM: Edited by JOHNDOE 11/08/2007 9:23:58 AM: Edited by JOHNDOE 11/08/2007

11/08/2007

11/08/2007

Select "RFI:" to see the RFI sent to you by DHS.

Note: The envelope icon next to your correspondence denotes it is awaiting a response.

#### Previous





#### Request for Information

Awaiting RFI Response

Created by brent admin 11/08/2007 01:05:11 PM Sent to Applicant by the Help Desk 11/08/2007

Title (RFI and Notification Only):

Tech RFI

To: (Letter will be sent via hard copy)

CC:

Subject: SAFETY Act Application Q-JOHNDOE-JD001-1

Body: It is our practice to accommodate reasonable delays in the processing of

applications to enable applicants to fully document their positions; however, we will be unable to delay the processing of your application for more than 21 days from the date of our 11/8/2007 request. Accordingly, if no response is received to this request by 11/29/2007, your application will be considered abandoned and closed on the SAFETY Act website. Please note, however, that no prejudice

attaches to the closing of yo Office of SAFETY Act Implei contents of this RFI, or if yo

Review the contents of the RFI. Select the hyperlinked text to view the DHS RFI letter and Select "RFI Response" under the Actions menu

**ACTIONS** 

Close

RFI Response





#### **RFI** Response

Created by JOHNDOE 11/08/2007 01:12:28 PM

**ACTIONS** 

Fields marked with an asterisk (\*) are required

\*Comments

Enter comments concerning your file attachments below.

Comments: Describe the files you are attaching below, including filename, question from the RFI to which is relevant and any other comments you have. Cancel

Save as Draft Save as Draft & Close Submit as Final

Complete the RFI Response and attach any necessary documents.

#### **File Attachments**

Upload files using the "Browse" buttons below.

It is recommended that you submit files in compressed .ZIP format to conserve bandwidth. You may also submit multiple files in a single .ZIP.

C:\Documents and Sett | Browse...

Browse.

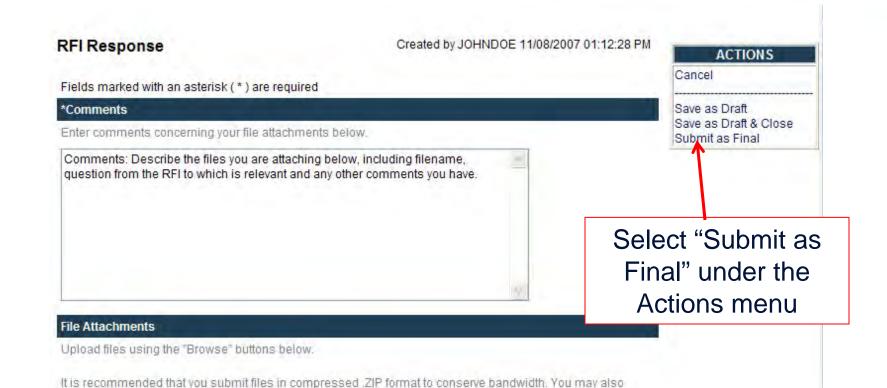


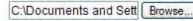


- You have three options after completing the response:
  - Save As Draft
    - It is strongly suggested that you save as draft regardless of final selection to prevent the loss of information due to computer failure.
  - Save As Draft & Close
  - Submit as Final







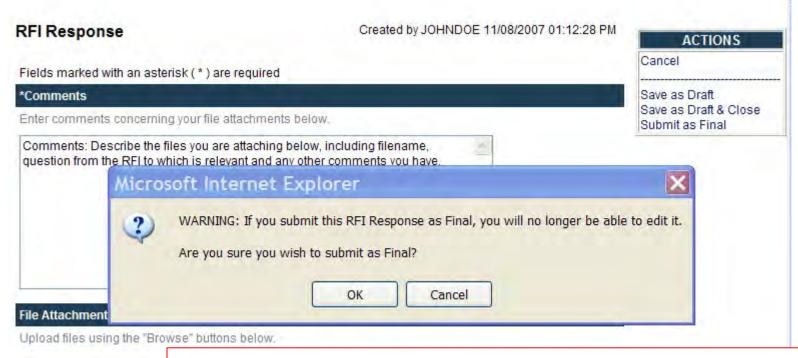


submit multiple files in a single .ZIP.

Browse.







It is recommended that you submit multiple files in a si

C:\Documents and Sett

When you select "Submit As Final" you will receive a prompt confirming that you wish to submit the RFI. Select "OK" to continue or "Cancel" to make changes to your application.







Once you select "OK" you will be taken back to this screen.

Note: The envelope icon will not appear next to your application once you have completed all necessary responses.

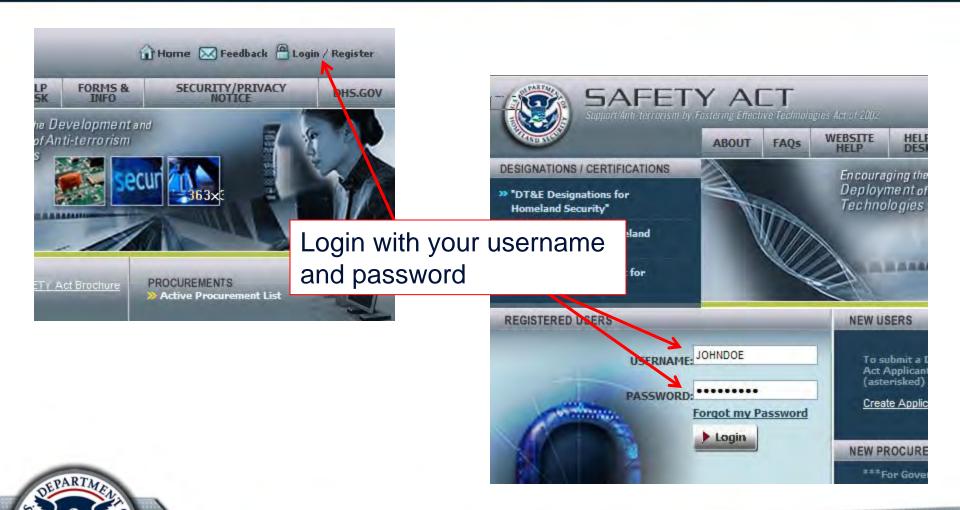




If you have been granted Designation or Designation & Certification, you will be asked to submit Insurance Information.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010
Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

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<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

#### \*\* POPUP BLOCKERS \*\*

You must disable all popup blockers you may have running in order to successfully submit an application.



Select "My Open Applications" under View in the Applicant Tools menu







Select your application which has the status of "Pending Initial Insurance" by clicking on the date field next to the Application ID



#### **QATT Application**

Received Via: Online Form Additional Attachments: No Decision: Designated

Status: Pending Initial Insurance Awaiting Insurance Certification

#### Application ID #: Q-JOHNDOE-JD001-1

Initial Award Date: 11/08/2007 Insurance Due Date: 12/08/2007 Expiration Date: 11/08/2012

#### ACTIONS

Close Printable Version Create Revision App Create Clone App Create Notice of Mod

#### Next

#### SELLER INFORMATION

#### Registration Information

Applicant ID JOHNDOE
Seller Name User Guide
Data Universal Numbering 259

Data Universal Numbering System (DUNS) Number

North American Industry

Classification System (NAICS)

Code

#### SECTIONS

- 1. Seller Information
- 2. Application Details
- 3. Declaration
- 4. Related Links

Select "Related Links"

#### Principal POC Information

Name John Doe Address 123 Test dr.

Chantilly Virginia 20151

United States

2451-5562

Telephone Number 703-555-6789





#### **QATT Application**

Received Via: Online Form Additional Attachments: No Decision: Designated Status: Pending Initial Insurance Awaiting Insurance Certification

#### Application ID #: Q-JOHNDOE-JD001-1

Initial Award Date: 11/08/2007 Insurance Due Date: 12/08/2007 Expiration Date: 11/08/2012

#### ACTIONS

Close Printable Version Create Revision App Create Clone App Create Notice of Mod

#### Previous



#### SECTIONS

- Seller Information
   Application Details
- 3. Declaration
- 4. Related Links

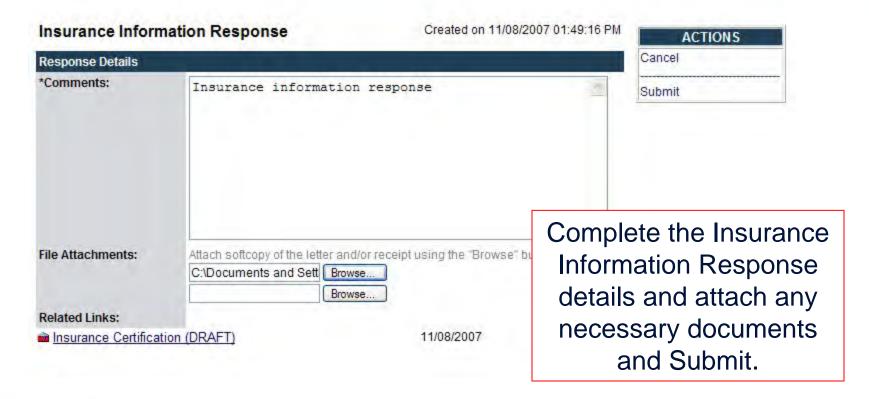
Select "Insurance Certification"





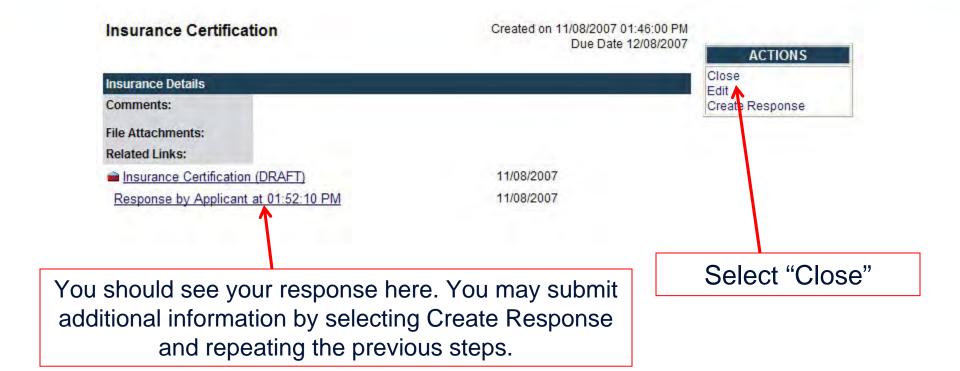


















Once you select "Close" you will be returned to this screen.

Note: the envelope will remain until DHS reviews your Insurance Response.

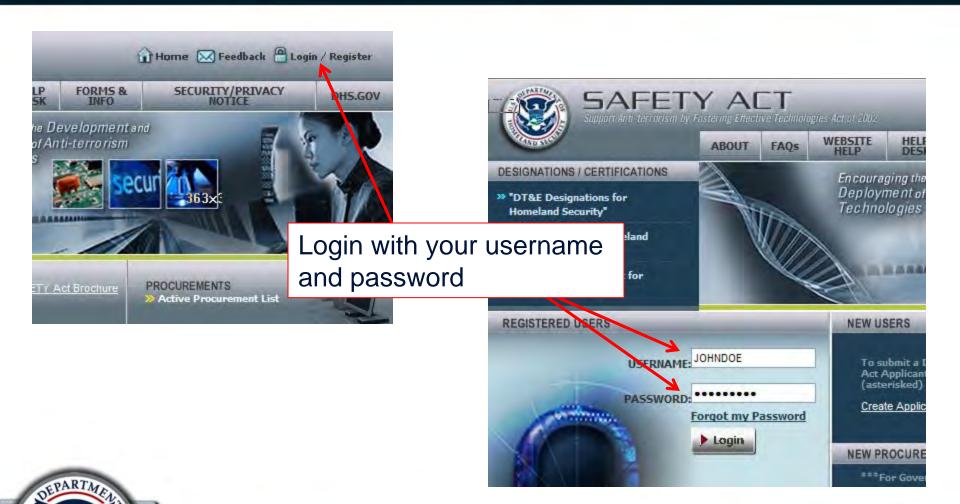


### **Modification Notice**

The purpose of submitting a Modification Notice is to inform DHS that you have made changes or plan to make changes to your Designated Anti-terrorism Technology.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

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<u>Create New Designation and Certification Application</u> (full Application for combined QATT Designation and GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

### \*\* POPUP BLOCKERS \*\*

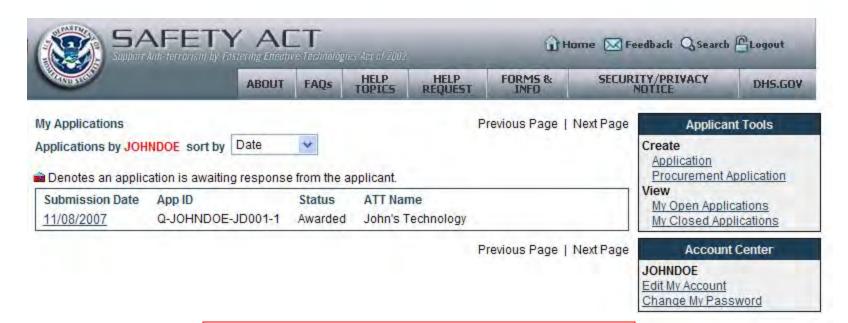
You must disable all popup blockers you may have running in order to successfully submit an application.



Select "My Open Applications" under View in the Applicant Tools menu







In order to complete a Modification Notice your application must have the status of "Awarded" or "Pending Initial Insurance".



### **QATT** Application

Received Via: Online Form Additional Attachments: No Decision: Designated Status: Awarded

### Application ID #: Q-JOHNDOE-JD001-1

Initial Award Date: 11/08/2007 Expiration Date: 11/08/2012

### ACTIONS

Close
Printable Version
Create Revision App
Create Clone App
Next
Create Notice of Mod

SECTIONS

1. Seller Information

Application Details

Declaration
 Related Links

of Mod"

### SELLER INFORMATION

### Registration Information

Applicant ID JOHNDOE
Seller Name User Guide

Data Universal Numbering System (DUNS) Number

System (DONS) Number

North American Industry Classification System (NAICS)

Classification System (NA

Code

### Select "Create Notice

### Principal POC Information

Name John Doe Address 123 Test dr.

Chantilly Virginia 20151

United States

259

2451-5562

Telephone Number 703-555-6789





### Modification to Designation

Fields marked with an asterisk (\*) are required.

\* Only submit this modification if you have made changes, or plan to make changes, to your designated ATT technology description.

Next

Important: Read carefully and comply precisely with the related Instructions for completing a Modification.

After completing this Seller Information page, please proceed to the next section by selecting "Modification Details" on the Sections menu located on the right-hand side of this screen. Please ensure the accuracy of the information below. If the information has changed:

- Select <u>Edit My Account Info</u>
- Make the necessary changes to your Applicant Registration
- Select Submit
- Reset the Seller Information below using the "Reset Seller Information"

Reset Seller Information

Submission Date: 11/08/2007

Cancel Delete

Save as Draft Save as Draft & Close Submit as Final Modification Instructions

ACTIONS

### SECTIONS

- 1. Seller Information
- 2. Modification Details
- 3. Related Links

Check the Seller Information then select "Modification Details"

Note: Click here to update your Applicant information on your Application.



### Modification to Designation

Fields marked with an asterisk (\*) are required.

Submission Date: 11/08/2007

\* Only submit this modification if you have made changes, or plan to make changes, to your designated ATT technology description.

Previous Ne:

#### MODIFICATION DETAILS

#### M1. Seller Name

User Guide

### M1.1. \* Public Web site Listing

If your Technology is awarded SAFETY Act coverage, you have the opportunity to be listed on the SAFETY Act Web site as a Designated Seller of anti-terrorism technologies. [For example, if you apply for

Designation and Certification and receive Designation, your Technology will Technologies. Or, if you are granted DT&E Designation, regardless of which you will be so listed on the Web site. Note: By statute, all Certified Technology

Complete the Modification Form

Approved Products List for Homeland Security on the Web site.]

### (Choose one)

- I wish to have this Technology listed on the public Web site under the appropriate classification.
- O I do not wish to have this Technology listed on the public Web site under the appropriate classification.

M2. Qualified Anti-Terrorism Technology (QATT) information

### **ACTIONS**

Cancel Delete

Next Save as Draft & Close Submit as Final Modification Instructions

### SECTIONS

- 1. Seller Information
- 2. Modification Details
- 3. Related Links





- You have three options after completing the Modification:
  - Save As Draft
    - It is strongly suggested that you save as draft regardless of final selection to prevent the loss of information due to computer failure.
  - Save As Draft & Close
  - Submit as Final



### Modification to Designation

Fields marked with an asterisk (\*) are required.

\* Only submit this modification if you have made changes, or plan to make changes, to your designated ATT technology description.

Submission Date: 11/08/2007

Cancel

Delete

Save as Draft

Next | Save as Draft & Close Submit as Final Modification Instructions

**ACTIONS** 

### ECTIONS

- 1. Seller Information
- 2. Mod fication Details
- 3. Rela ed Links

### MODIFICATION DETAILS

#### M1. Seller Name

**User Guide** 

Previous

### M1.1. \* Public Web site Listing

If your Technology is awarded SAFETY Act coverage, you have the opportunity to be listed on the SAFETY Act Web site as a Designated Seller of anti-terrorism technologies. [For example, if you apply for Designation and Certification and receive Designation, your Technology will be listed under Designated

Technologies. Or, if you are granted DT&E Designation, regardless of which protectif you will be so listed on the Web site. Note: By statute, all Certified Technologies will

Approved Products List for Homeland Security on the Web site.]

Select "Submit as Final"

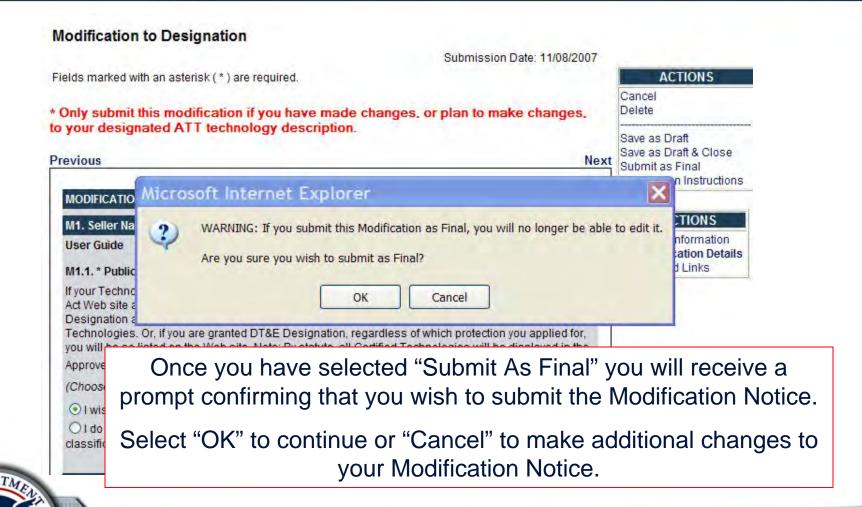
#### (Choose one)

- I wish to have this Technology listed on the public Web site under the appropriate classification.
- O I do not wish to have this Technology listed on the public Web site under the appropriate classification.

M2. Qualified Anti-Terrorism Technology (QATT) information









#### CERTIFICATION

The undersigned certifies that he/she is a duly authorized representative of the above referenced Designation Holder. The undersigned further certifies that the information above is accurate and complete. The Designation Holder understands that any significant change or modification to the Qualified Anti-Terrorism Technology will automatically terminate the Designation absent prior written approval by the appropriate Department of Homeland Security official before implementation of the change or modification. False representations constitute a violation of 18 U.S.C. §1001 and are punishable by fine and imprisonment.

| ACTIONS |  |  |  |
|---------|--|--|--|
| Cancel  |  |  |  |
| Submit  |  |  |  |

Accept/Sign

| Signature: | Date |
|------------|------|
| Title:     |      |

Before you can complete your Modification Notice you must sign and accept the online certification.

Enter your Title and select "Accept/Sign"



**ACTIONS** 

Select "Submit"

Cancel

Submit

### **Modification Notice**

### CERTIFICATION

The undersigned certifies that he/she is a duly authorized representative of the above referenced Designation Holder. The undersigned further certifies that the information above is accurate and complete. The Designation Holder understands that any significant change or modification to the Qualified Anti-Terrorism Technology will automatically terminate the Designation absent prior written approval by the appropriate Department of Homeland Security official before implementation of the change or modification. False representations constitute a violation of 18 U.S.C. §1001 and are punishable by fine and imprisonment.

Accept/Sign

Example, CEO

Signature: John Doe

Title: CEO

11/08/2007 Date:







Once you select "Close" you will be returned to this screen





If you have an application that was denied by DHS, you withdrew, had closed, or if you have a Designated Technology and you wish to apply for Certification, you may create a "New Revision" Application. The process of creating a New Revision application benefits you as it pulls in information from your previously closed or designated application.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

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Create New Pre Application (request for Pre-Application Consultation)

Create New Designation Application (full Application for QATT Designation)

<u>Create New Designation and Certification Application</u> (full Application for combined QATT Designat and GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

### \*\* POPUP BLOCKERS \*\*

You must disable all popup blockers you may have running in order to successfully submit an application.

Applicant Tools

Create

Application

Procurement Application

View

My Open Applications
My Closed Applications

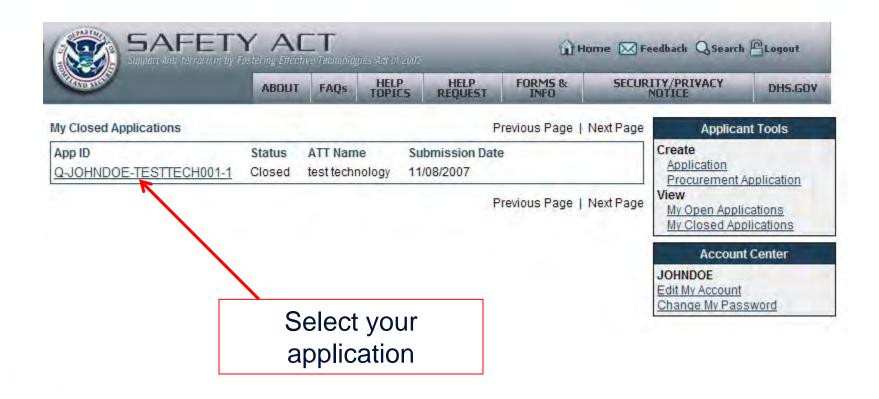
### Act ount Center JOHNDOE

Edit My Account Change My Password

Select "My Closed Applications" under View in the Applicant Tools menu











### **QATT Application**

Received Via: Online Form Additional Attachments: No Decision: Incomplete Status: Closed

### Application ID #: Q-JOHNDOE-TESTTECH001-1

Review Completed: 11/08/2007

### ACTIONS

Close
Printable Version
Create Revision App
Create None App

### Next

### **SELLER INFORMATION**

#### Registration Information

Applicant ID JOHNDOE
Seller Name User Guide

Data Universal Numbering 259

System (DUNS) Number

North American Industry 2451-5562

Classification System (NAICS)

Code

### SECTIONS

- 1. Seller information
- 2. Application Details
- 3. Declaration
- 4. Related Links

Select "Create Revision App"

### Principal POC Information

Name John Doe Address 123 Test dr.

Chantilly Virginia 20151

**United States** 

Telephone Number 703-555-6789





### Select Application Type

Select the type of application you wish to apply for now. All data on your existing application, along with any related attachments, will be copied over.

- Designation
- O T&E Designation
- O Block Designation
- O Designation and Certification



Choose your Application Type and select "Submit"





### **QATT Application**

Received Via: Online Form Status: Draft

Fields marked with an asterisk (\*) are required.

Submission Date: 11/08/2007

### ACTIONS

Cancel

Next

Save as Draft Save as Draft & Close Submit as Final Change Application Type Application Instructions

### SECTIONS

- 1. Seller Information
- 2. Application Details
- Related Links

Important: Read carefully and comply precisely with the related Instructions for completing a Designation Application.

After completing this Seller Information page, please proceed to the next section by selecting "ATT Details" on the Sections menu located on the right-hand side of this screen.

Please ensure the accuracy of the information below. If the information has changed:

- Select Edit My Account Info Make the necessary changes to your Applicant Registration
- Select Submit
- Reset the Seller Information below using the "Reset Seller In

Reset Seller Information

Confirm the Seller Information and then select "Application Details" located under the Sections menu.

#### SELLER INFORMATION

#### Registration Information

JOHNDOE Applicant ID Seller Name User Guide

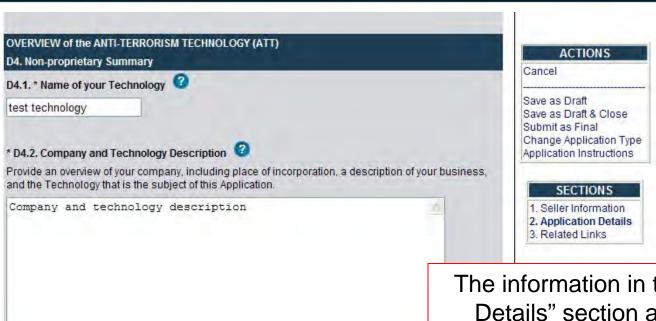
Data Universal Numbering System (DUNS) Number

259

Note: Click here to update your Applicant information on your Application.







D4.3. \* Internal Tracking Code

testTech001

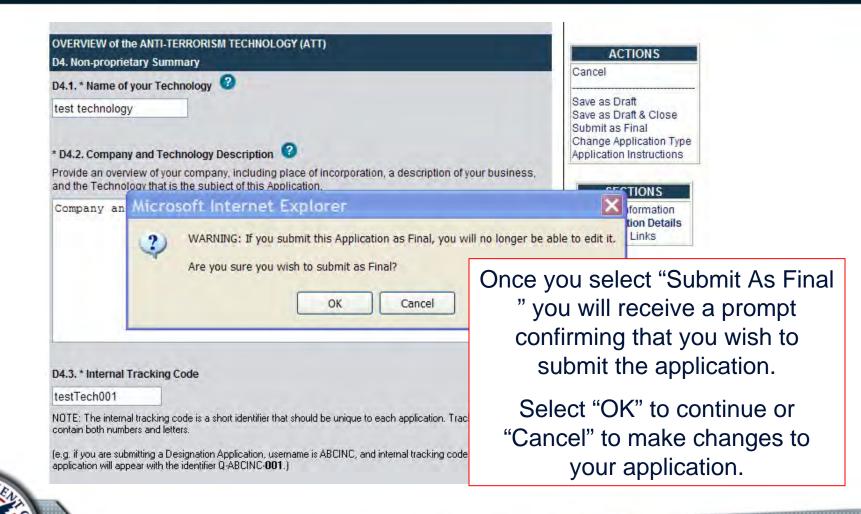
NOTE: The internal tracking code is a short identifier that should be unique to each application. Tracki contain both numbers and letters.

(e.g. if you are submitting a Designation Application, username is ABCINC, and internal tracking code 0 application will appear with the identifier Q-ABCINC-001.)

The information in the "ATT Details" section and the required attachments will carry over from the previous application. Make any necessary changes or updates and continue.









### DECLARATION

Under penalty of perjury, I declare, to the best of my knowledge and belief, that all statements made and information provided in this Application and any accompanying documents are true, correct, and complete.

| ACTIONS |  |  |
|---------|--|--|
| Cancel  |  |  |
| Submit  |  |  |

| Accept/Sign            |  |   |
|------------------------|--|---|
| Prepared By:           |  |   |
| Title (if applicable): |  |   |
| Signature:             |  |   |
| Date:                  |  | 3 |

Before you can complete your submission you must sign and accept the online declaration.

Enter your Name and Title and select "Accept/Sign"





### DECLARATION

Under penalty of perjury, I declare, to the best of my knowledge and belief, that all statements made and information provided in this Application and any accompanying documents are true, correct, and complete.

John Doe

| ACTIONS |   |  |  |
|---------|---|--|--|
| Cancel  |   |  |  |
| Submit  | *************************************** |  |  |
| K       |   |  |  |
|         |   |  |  |

| Prepared By: |  |
|--------------|--|
| riepaleu by. |  |
|              |  |

Title (if applicable): CEO

Signature: 

✓ (signed electronically via website)

Date: Thursday November 8, 2007

If you have completed the previous step correctly your declaration should be completely filled out and you may select "Submit"





Application ID Number changed to:



After you have completed your Declaration this window will appear with your Application ID.

This ID will be used to track your application.

Select "OK" to return to your application.







My Closed Applications

App ID Status ATT Name

Q-JOHNDOE-TESTTECH001-1

Status ATT Name Submission Date Closed test technology 11/08/2007

Previous Page | Next Page

Applicant Tools

Create

Previous Page | Next Page

Application
Procurement Application

View

My Open Applications
My Closed Applications

**Account Center** 

JOHNDOE

Edit My Account

Change My Password

Once you select "OK" you will be returned to this screen.











#### Creating an Application

OMB No. 1640-0001; Expires 01/31/2010

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number.

#### First Time Applicants:

Applicants are strongly encouraged to consider first submitting a Pre-Application form to request a Pre-Application Consultation. A Pre-Application Consultation is a voluntary means through which the Office of SAFETY Act Implementation (OSAI) provides helpful guidance to potential applicants without requiring the completion and submission of a full SAFETY Act Application. The Pre-Application Consultation is intended to facilitate a process by which a potential applicant may provide OSAI with initial information regarding their Technology, so that OSAI may, in turn, provide potential applicants with guidance regarding the submission of an Application for SAFETY Act Designation. The Pre-Application Consultation is also intended to facilitate discussions regarding the SAFETY Act Application process.

Create New Pre Application (request for Pre-Application Consultation)

Create New Designation Application (full Application for QATT Designation)

<u>Create New Designation and Certification Application</u> (full Application for combined QATT Designation and GCD Certification)

<u>Create New DT&E Designation Application</u> (full Application for Developmental Testing and Evaluation Designation)

Download and review full Application Kit and instructions

### \*\* POPUP BLOCKERS \*\*

You must disable all popup blockers you may have running in order to successfully submit an application.

### Applicant Tools Create

Application
Procurement Application

View

My Open Applications
My Closed Applications

### Account Center

JOHNDOE

Edit My Account Change My Password

Click "Change My Password"





| Password Change R            | equest                |         |
|------------------------------|-----------------------|---------|
| ields marked with an asteris | k ( * ) are required. | ACTIONS |
| User Account Information     |                       | Cancel  |
| User Name:                   | JOHNDOE               | Submit  |
| *Old Password:               | •••••                 |         |
| *New Password:               | •••••                 |         |
| *Confirm New Password:       |                       |         |

Complete this form and select "Submit" under the Actions menu





### **DHS Password Change Successful**

Your DHS SAFETY Act password has been changed. You are now being logged out of the system. You may login using your new password within a few minutes.



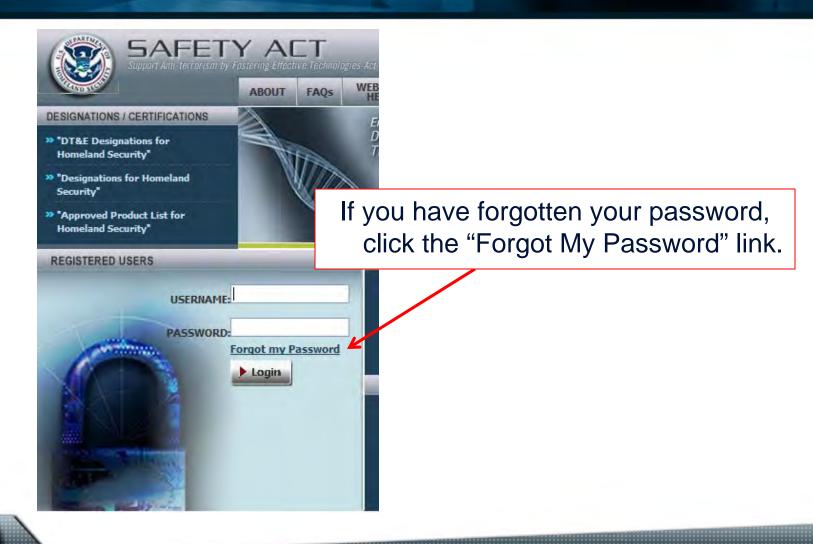
If you have successfully reset your password, you will receive this notification message.

You will then be taken back to the SAFETY Act home page to log in again.

Please allow up to five minutes for the new password to take effect.









### Password Reset

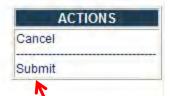
Please complete the following form and your password will be reset and emailed to you.

### **User Account Information**

**User Name:** 

**Email Address:** 

\*If you do not have an email address, leave it blank and you will be contacted by the SAFETY Act Help Desk with your new password.



Complete this form and select "Submit." A randomly generated password will be emailed to your applicant email address.



## Help Desk

If further assistance is required please contact the Help Desk

Phone: 1-866-788-9318

Email: <u>helpdesk@safetyact.gov</u>



### Annex C SAFETY Act Application Kit

### SAFETY Act Application Kit

Department of Homeland Security Science and Technology Directorate S&T SAFETY Room 1715 Mail Stop 8700 245 Murray Lane Washington, D.C. 20528 1-866-788-9318 http://www.safetyact.gov

Privacy Act Notice: DHS Authority to Collect This Information: 6 U.S.C. §§ 441–444 (the "SAFETY Act") and 6 C.F.R. Part 25, 71 Fed. Reg. 33147, 33159. Principal Purposes: DHS collects telephone numbers, addresses, and other identifying information for the purpose of contacting individuals seeking liability protections on issues related to the SAFETY ACT application process. Routine Uses and Sharing: In general, DHS will not use this information for any purpose other than DHS personnel constacting the individuals. However, DHS may release this information of an individual on a case-by-case base as described in the S&T SAFETY Act System of Records Notice (SORN), which can be found at your large with the special content of the information of the information of the information of the provide only some of the information DHS requests. If an individual chaoses to opt not to provide some or all of the requested information, DHS may not be able to process the individual's request.

PRA Burden Statement: An agency may not conduct or sporator at information collection and a person is not origined to respond to this information collection unless it displays a current valid OMB control number and an expectation date. The control number for this collection is 1640-0001 and this forms will expire on 03/31/2013. The estimated average time to complete the attached forms is as follows: DHS Form 10001: 10 hours per respondent, DHS Form 10002: 10 hours per respondent, DHS Form 10001: 50 hours per respondent, DHS Form 10005: 50 hours per respondent, DHS Form 10006: 50 hours per respondent, DHS Form 10006: 50 hours per respondent, DHS Form 10007: 40 hours per respondent, DHS Form 10007: 40 hours per respondent, DHS Form 10007: 50 hours per respondent, and DHS Form 10007: 50 hours per respondent. If you have any comments regarding the burden estimate you can write to Department of Horneland Security, Science and Technology Directorate, Washington, DC 20528.

DHS Form 10001, DHS Form 10002, DHS Form 10003, DHS Form 10004, DHS Form 10005, DHS Form 10006, DHS Form 10007, DHS Form 10007, DHS Form 10008, DHS Form 10009, DHS Form 10010, and DHS Form 10007 (10/06)

16 DRDC CSS CR 2011-21

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DRDC CSS CR 2011-21 17

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The objective of this report is to provide insight to Canadian industry partners of the CRTI/PSTP program into successfully applying for designation under the USA SAFETY Act, and preferably to be added to the Department of Homeland Security Approved Product List (APL). This will enable Canadian companies to access these markets with the outputs of CRTI or PSTP projects. The study also suggests how DRDC CSS can support Canadian companies receiving designation under the USA SAFETY Act.

L'objectif de ce rapport est de fournir l'information aux partenaires de l'industrie canadienne du programme de l'IRTC/PTSP pour appliquer avec succès la désignation en vertu de la Loi sur la Sécurité d'es États-Unis et de préférence , pour être ajouté à la Liste des Produits Approuvés (LPA) du Département de Sécurité publique américain . Cela permettra aux entreprises canadiennes d'accéder à ces marchés avec des résultats de projets de l'IRTC ou PTSP. L'étude indique également comment RDDC CSS peut soutenir les entreprises canadiennes recevant la désignation en vertu de la Loi sur la Sécurité des États-Unis

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US Safety Act; certification